



FIRST SESSION - TWENTY-SEVENTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

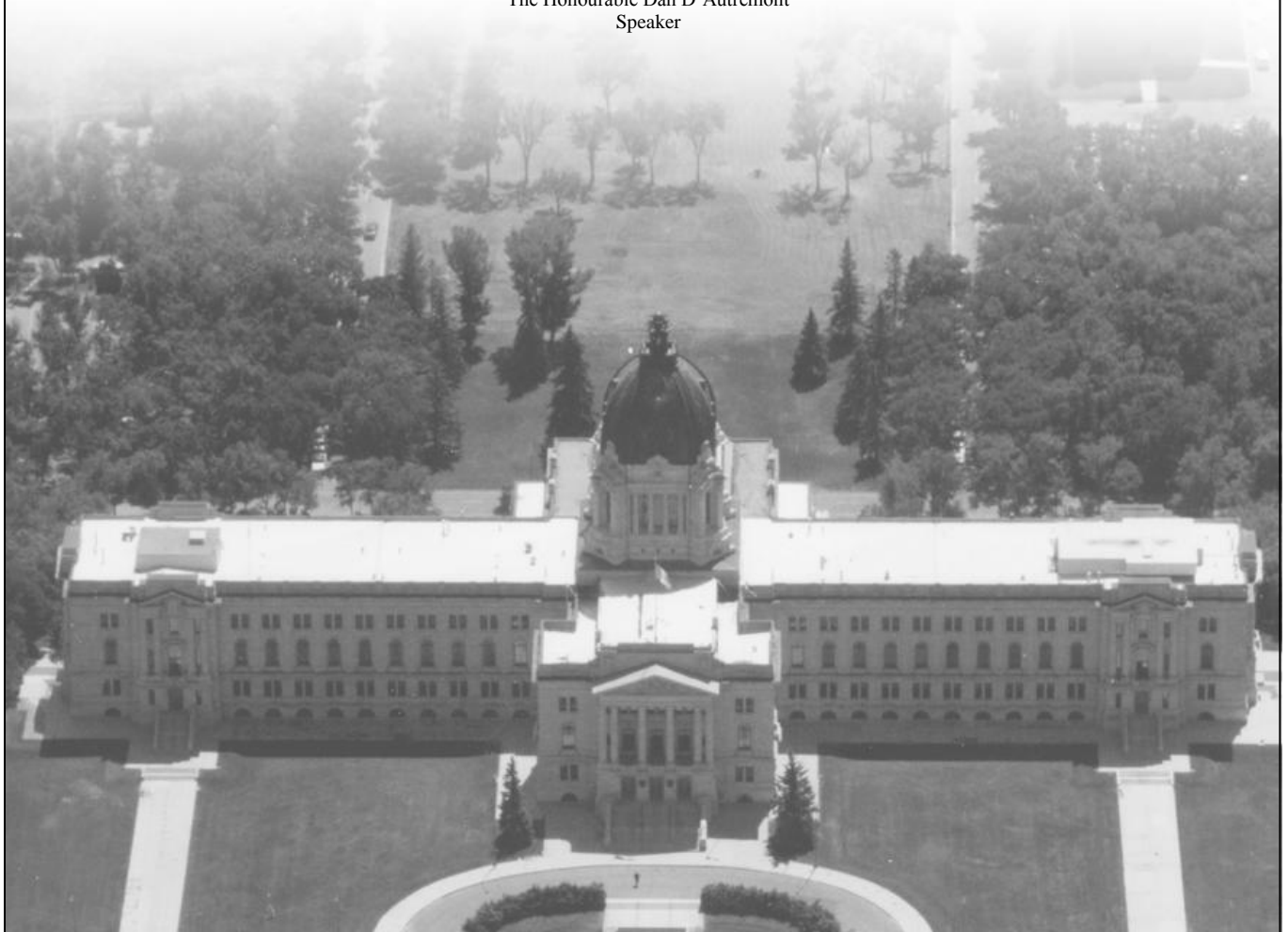
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**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

Published under the  
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The Honourable Dan D'Autremont  
Speaker



**MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**

Speaker — Hon. Dan D’Autremont  
 Premier — Hon. Brad Wall  
 Leader of the Opposition — John Nilson

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Belanger, Buckley	NDP	Athabasca
Bjornerud, Hon. Bob	SP	Melville-Saltcoats
Boyd, Hon. Bill	SP	Kindersley
Bradshaw, Fred	SP	Carrot River Valley
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Broten, Cam	NDP	Saskatoon Massey Place
Campeau, Jennifer	SP	Saskatoon Fairview
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Cheveldayoff, Hon. Ken	SP	Saskatoon Silver Springs
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Doke, Larry	SP	Cut Knife-Turtleford
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Lawrence, Greg	SP	Moose Jaw Wakamow
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Marchuk, Russ	SP	Regina Douglas Park
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McMorris, Hon. Don	SP	Indian Head-Milestone
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Michelson, Warren	SP	Moose Jaw North
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Nilson, John	NDP	Regina Lakeview
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Ross, Hon. Laura	SP	Regina Qu’Appelle Valley
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Steinley, Warren	SP	Regina Walsh Acres
Stewart, Lyle	SP	Thunder Creek
Tell, Christine	SP	Regina Wascana Plains
Tochor, Corey	SP	Saskatoon Eastview
Toth, Don	SP	Moosomin
Vermette, Doyle	NDP	Cumberland
Wall, Hon. Brad	SP	Swift Current
Weekes, Randy	SP	Biggar
Wilson, Nadine	SP	Saskatchewan Rivers
Wotherspoon, Trent	NDP	Regina Rosemont
Wyant, Gordon	SP	Saskatoon Northwest

[The Assembly resumed at 19:00.]

**EVENING SITTING**

**The Deputy Speaker:** — It now being 7 o'clock, I will call the House back to order.

**ADJOURNED DEBATES**

**SECOND READINGS**

**Bill No. 25**

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 25** — *The Ombudsman Act, 2011* be now read a second time.]

**The Deputy Speaker:** — I recognize the member from Regina Elphinstone.

**Mr. McCall:** — Thank you very much, Mr. Deputy Speaker. It's good to rise this evening to join in the debate on Bill No. 25, *The Ombudsman Act*, on this snowy eve in March, Mr. Deputy Speaker.

Certainly the Ombudsman's one of those key institutions in the province of Saskatchewan. I believe Saskatchewan, in the introduction of the Ombudsman in and of itself a number of decades ago, it was a fairly trail-blazing measure. Ombud's functions have been embraced across the country in many different ways, and it's good to see the government paying attention to trying to keep step with the times and modernize the legislation that governs the Ombudsman.

It's interesting to look through the legislation and see how it represents the changing of the times. Certainly we have just this very day had debates on the Children's Advocate, again another trail-blazing effort on the part of the people of Saskatchewan introducing this function, that general sort of advocacy function separate and apart from government, an independent officer of the legislature but specifically geared towards children and youth, Mr. Deputy Speaker.

But the Ombudsman of course is quite encompassing in terms of providing that advocacy and in some cases mediation, problem-solving role for people as they approach the affairs of the government. And certainly for, I am sure, many MLAs [Member of the Legislative Assembly], that's one of the things we try to do, and certainly in our office in Regina Elphinstone-Centre, is to work in that advocacy role to make sure that people are getting a fair shake from their government and that they are getting their due from the government, that they have got someone there alongside them to try and navigate some of the twists and turns of dealing with government which, for many people, Mr. Deputy Speaker, can be quite a daunting thing. It can be quite a complex undertaking, so we know this in our legislative offices and our constituency offices in terms of working with our constituents.

And I am sure that you, Mr. Deputy Speaker, and many members from this House have encountered the Ombudsman in that role, not just the institution of the Ombudsman, but I

believe the current Ombudsman is actually a constituent of Mr. Deputy Speaker's out in that Balcarres country. So I'm sure, Mr. Deputy Speaker, you are aware with not just the general good work that the Ombudsman does but what a good neighbour he is and the kind of dignity and character that he brings to the job.

It's good to see this legislation come forward and the kind of evolution that has been taking place certainly in advance of the 2007 election. Members opposite campaigned on bringing in an independent health ombud's function in government. After some consideration on their part, Mr. Deputy Speaker, or on the part of the government, it was decided to roll that function into the Office of the Ombudsman and to accelerate or enhance the work already under way but also the powers that were available to that. So again in terms of the additional capacity under the expanded role as regards health matters, *The Ombudsman Act* that we're considering here today under Bill No. 25 plays a certain role in that.

It's also interesting, Mr. Deputy Speaker, that the existing Ombudsman is acting as the final commissioner for the complaints process as regards public service whistle-blowers or public disclosure commissioner. Again a pretty key function as regards the relationship of people to their government and making sure that there's that balance between the needs for confidentiality but also the ability of people to step forward and blow the whistle if need be when they've witnessed wrongdoing, and to not have fear of reprisal from that. That we've got the existing Ombudsman acting in an acting fashion for that, Mr. Speaker, or Mr. Deputy Speaker, I think the province would be well served by the individual currently serving as Ombudsman in that function.

But that particular piece of legislation, the way it was proclaimed and the way that there were certain question marks hanging over it, certainly underlines for us in the opposition the need to hold the deeds and the legislative measures brought forward by this government up to as much scrutiny as can be brought to bear, and the need to hold that government to account. Certainly that was one instance of legislation being proclaimed where perhaps all the measures weren't fully in place, and we'll see how that plays out in the days to come, Mr. Deputy Speaker.

But Bill No. 25, in and of itself, not just enhancing or bolstering the powers as it relates to the health duties with which it's now been tasked but also differentiating it from the legislation governing the Children's Advocate position. In and of itself, this is a worthwhile piece of legislation. The particulars again, we'll see how they play out over time, Mr. Deputy Speaker. But in principal, I think this is a worthwhile piece of legislation in really bringing up to date not just the duties of the Ombudsman but the additional tasks that have been provided to that office, and the fact that the Children's Advocate has evolved as it has and that they have their own separate child and youth advocate Act, again, I think is a piece of legislation that its time has come.

In communication with the Ombudsman about the legislation, the Ombudsman states a number of things about or provides a number of pieces or a number of observations about the

measures contained in the legislation. And I'd like to provide a consideration of those in my remarks tonight, Mr. Deputy Speaker. Of course one of the things that it does right off the top is to update the language around general neutral language and to bring it into compliance with new legislative drafting conventions. But substantively one of the things it does right off the top is to expand the definition of agency of government, wherein the expansion of the definition of agency of government to include a publicly funded health entity better enables the Office of the Ombudsman to fulfill an expanded role in the health field.

Another, further to that, Mr. Deputy Speaker, it clarifies the ability of the office to conduct investigations where requested by non-governmental bodies. The Ombudsman Saskatchewan is now given the ability and the authority to conduct investigations under certain circumstances where expertise, availability of resources, and fee agreement allow. I'd note parenthetically, Mr. Deputy Speaker, that in the consideration of the good work of the Ombudsman, under the Board of Internal Economy in the consideration of the budget attached to this independent officer of the legislature, I'd be interested to see what funds are anticipated to be generated in that fee agreement and just how much of the . . . proportionately how much of the business of the Ombudsman that kind of work will be constituting.

But again they've got a certain expertise, and there is enabling the Ombudsman of Saskatchewan to respond to requests from non-governmental agencies and enabling other organizations, municipal and rural governments, school boards, community-based organizations to work with them on a fairness expertise in complaint handling.

Again the Ombudsman Saskatchewan has not just established a good name for itself within Saskatchewan, but certainly I think there's a case to be made that that recognition is national for the work that the Ombudsman in this province does. But some of those innovations in the way that they have done a good job of getting out and doing education around fairness handling of complaints and the expertise they've built up, again, is borne out in this legislation and is now more fully, fully authorized or fully anticipated by the legislative authority under which the Ombudsman in Saskatchewan does its business.

Another aspect is that it expands the way that privileged communication is handled in the legislation. To quote from the letter that we had received from the Ombudsman:

Privileged communication to Ombudsman Saskatchewan will now include letters written on behalf of persons in custody or confined to an institution. Those institutions that confine persons will now have to establish procedures that permit a restricted complainant to communicate with the Ombudsman and inform the person that they have a right to communicate with the Ombudsman.

Again one of the great things that the Ombudsman does is make sure that people are given a fair shake in their dealings with the government, and that extends into many spheres of our society and to people in all kinds of different circumstances. So again that that has been made clear in the Office of the Ombudsman, we think is worthy of consideration certainly, and we look

forward to see how that plays out on the ground, Mr. Deputy Speaker.

Another point the Ombudsman raises concerns the ability to obtain information from government agencies on a voluntary basis. Continuing on in the quote, he says:

While government has co-operated with this office in terms of providing information, there was no legislative authority in the Ombudsman Act that allowed this process. This has now been legislatively recognized.

Mr. Deputy Speaker, certainly there is a moral weight that comes with the Office of the Ombudsman and certainly many of the different reports that have been done by the Ombudsman's office over the years; I think, in particular, a fairly significant body of work that was done around the corrections system and the way that it's led to, helped to inform the considerations around renovating and restoring parts of the Regina Correctional Centre. It was then headed by a then ombudsperson, Barb Tomkins. I think of that as one instance in particular where I am very familiar with the kind of good work that was done on the part of the ombudsperson in terms of shining a particular light on activity of government and making sure that that work was done properly and that a game plan was set out by which government's actions could be measured in terms of problems identified by the Ombudsman and then remedies sought.

Certainly since the appointment of the current ombudsperson and his subsequent reappointment not too long ago, that kind of good work in the way that it informs action of government I think has only continued, and if not been accelerated, on the proactive side of the equation, where problem solving and not coming out with the report that slaps a government down or is meant to be incendiary or inflammatory. Our Ombudsman has established a good name in terms of being a problem solver, in terms of drawing on a great number of years of mediation, and the work that has been taken forward in the Ombudsman's office.

[19:15]

It's interesting to see that this gets, this kind of educational work and this kind of problem-solving work that has been done in past by the Ombudsman, Mr. Deputy Speaker, it will only be enhanced in the days to come.

One of the things of the Ombudsman's access, and access to reports that are produced by health quality review committees, there's an amendment that . . . Again this legislation was constructed, and I compliment the government on this in doing so, it was done in consultation with the existing Children's Advocate and with the existing Ombudsman. And the way that health quality review committees are handled under the legislation, I guess that would be one place or role. We'll wait to see how that works out.

Again critical incident reports are not necessarily commonplace under the Act, but I think the more the education is done in terms of acquainting people with the powers of the Office of the Ombudsman and the ability of people to seek out redress to problems as they present under the processes provided by the

Ombudsman, I think this is something that we'll only see more of, and again as it gets more fully into the health care work it has been tasked with. And again, Mr. Deputy Speaker, I think a sign of the good work of the Ombudsman is the fact that it was called upon by the Minister of Health yesterday in terms of looking into the situation around the seniors' care home in Humboldt and being an independent, honest broker, well-suited to looking into that situation, seeing what had gone wrong, and seeing what should not go on again.

So we certainly look forward to the work of the Ombudsman in that regard, Mr. Deputy Speaker, and we anticipate that that track record of problem solving and being an honest broker and not afraid to speak truth to power, Mr. Deputy Speaker, we'll see how that comes forward in the work in the days ahead.

I guess I'd pretty much draw my remarks to a close there, Mr. Speaker. But we think about all the ways that that notion of independent officers of the legislature has evolved over time, and certainly in the Ombudsman function, having been one of the early goings, sort of means by which you have that independent advocate there to work with citizens as they try to make sure that they got their fair shake from the government and to make sure that they got their due from the government. Certainly different sort of functions as it regarded the Provincial Auditor were earlier on in the situation.

But the way that the Ombudsman came to power, came into being, the way that the Children's Advocate has come into being, the way that we now see the Information and Privacy Commissioner and that whole avenue of making sure there is that advocacy function, that educational function but at the same that independence from government and making sure that there is an independent, objective, authoritative ally that citizens can turn to, we think that it will obviously only continue to evolve and expand.

Certainly if you look at the different sort of functions that have been brought to bear federally, Mr. Deputy Speaker, and the way that that function has evolved around the Privacy Commissioner, the Ethics Commissioner, there is perhaps a profusion of independent officers like that. But you know, perhaps if they had started out with a better ombudsman, or if they had gone that route to begin with, maybe we wouldn't be seeing all these independent offices. But I know in Saskatchewan, I think we've been historically well served by the function of the Ombudsman of Saskatchewan and we want to make sure that in this legislation it is giving that office its due and strengthening what has been a very valuable institution for the province of Saskatchewan.

But most importantly, the people of Saskatchewan as citizens seek to get a fair shake from their government and seek out allies in bringing that about.

So I guess with that being said, Mr. Deputy Speaker, I would bring my remarks on Bill No. 25 to a close and move to adjourn debate on Bill No. 25. Thank you, Mr. Deputy Speaker.

**The Deputy Speaker:** — The member of Elphinstone has moved to adjourn debate on Bill No. 25, *The Ombudsman Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

### Bill No. 26

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 26 — *The Miscellaneous Statutes Repeal Act, 2011*** be now read a second time.]

**The Deputy Speaker:** — I recognize the member from Regina Rosemont.

**Mr. Wotherspoon:** — Thank you, Mr. Deputy Speaker. A pleasure to see you in the Chair there as well. Nice to join in on debate here this evening as it relates to Bill No. 26, *The Miscellaneous Statutes Repeal Act, 2011*.

This Bill sets to repeal five statutes that apparently are no longer necessary as it relates to changes that have occurred by way of different Acts or changes that have been made by this government or another level of government. So it relates and makes five different, I guess repeals five different statutes that had existed previously. The government's contention is that the value in the legislation that was there has been spent or that it's now obsolete. And so I think we'll certainly take some thoughtful time to analyze the pieces of legislation that are being repealed, the statutes that are being repealed, and to as well conduct some consultation to make sure that in fact they are no longer needed or that they are obsolete.

I found the first repeal interesting. It's *The Collective Bargaining Agreement Expiry Date Exception Act*. Now this was passed in 2005. It looks as though, and as I understand, this was passed for one agreement in the province between a union, between a local and between an employer, or it's actually two collective agreements between IPSCO and between some United Steelworkers. Now what I understand the reason that this Act is no longer required is in fact connected to the changes that have been made to *The Trade Union Act*, which would have been Bill 6 in 2008 by this government. And so this is because of the amendments that were brought forward for *The Trade Union Act*, this piece of, this statute or this Act is no longer needed as contended by government.

I guess just as a general comment, certainly Bill 5 and Bill 6 were brought forward as first orders of business by this government, the Sask Party government. They were done so without any consultation with the people of the province or with labour. And in fact in one of those pieces of legislation, they erred so significantly in drafting that legislation and creating such a heavy hand with the shift to employers that in fact the piece of legislation, Bill 5, has in fact been found to be unconstitutional. And of course this is a shameful spotlight to be placed on a province that's had a proud record of providing balanced labour legislation.

So this speaks to Bill 6, a piece of legislation that, intended by this government to reduce labour organization or trade union organization within the province, and this stems from those activities. We've had long debates on these fronts in this Assembly, and we are going to have debates moving forward as

it relates to Bill 5, Mr. Deputy Speaker. But I did find it interesting that this Bill in some ways connects to a time where that government moved in sort of a roughshod sort of approach, unilateral, certainly shifted the balance far, far away from working people and certainly well over to the ledger to that of the employer, and well beyond anything that exists anywhere else in Canada as it related to those two changes.

So two interesting pieces of legislation — certainly important debate for Saskatchewan people as we move forward, and making sure we can find an appropriate balance to respect and protect proper labour law in this province.

As I moved along through and looked at some of the other statutes that are being repealed, one of those is *The Communications Network Corporation Act*. Now this Act was the Act that established the Saskatchewan Communications Network corporation, or otherwise known as SCN, Mr. Speaker.

And certainly as viewers watching here tonight will be aware and certainly those in the Assembly will be aware, is that the Sask Party government sold SCN, privatized SCN just a couple of years ago. And certainly the member from Northeast is hitting the table here in support of that privatization of SCN, Mr. Speaker, at a fire sale price, I might say, Mr. Speaker. So not only did they sell off an asset that provided value to Saskatchewan people but it was sort of the traditional story that we see when Tories go to sell off assets, is they can't even reclaim the value for Saskatchewan taxpayers that they deserve.

So not only are they ideological in their pursuit of policy but they lack the common sense and respect for Saskatchewan people to even retain proper value on this. And I think that this is going to be, this is highlighted in what's gone on with this sale since then. Or I guess we'll maybe see this transpire a bit. But what we've seen is of course this government, ideologically driven to sell off this asset — something that brought value to our economy here in Saskatchewan — and sold it off at a fire sale price to a company called Bluepoint. And in fact, so this government then sells it . . . Well here's the business major from Moose Jaw North weighing in on this discussion, saying he didn't believe it was to be a fire sale. But, Mr. Speaker, I certainly know independent industry experts have some different opinions on this front.

Now what's interesting as well is that this asset has now been . . . There's a purchase of agreement, I believe. I don't know this file incredibly well but there's a purchase of agreement to Citytv, I believe, from Bluepoint. Pretty interesting that, you know, at one point we had control over some Saskatchewan content and some purpose back into our economy and our film industry by way of SCN. This government, driven ideologically and certainly not reflecting any level of common sense, sold that asset for a fire sale for which now another company is likely profiting in a significant circumstance by selling that asset to another corporation.

What's at risk as well here is the Saskatchewan content aspect of that arrangement that may or may not have been made with Bluepoint. Certainly I didn't trust this government from the moment they sold it, that they somehow would have some sort of ironclad agreement with Bluepoint to fulfill Saskatchewan

content criteria. And certainly that seems evident here now when we see Bluepoint now selling that and making a profit, Mr. Deputy Speaker, and with a loss back to . . . Now I hear the member from Silver Springs say something about a dirty word being profit.

Well, Mr. Deputy Speaker, I can certainly say profit is a very important word in the economy of Saskatchewan. It's important to business people in this province. And it's important to entrepreneurs across this province.

Where we need to question the profit that's being made is when it's off of a fire sale of an asset that's been driven by an ideological decision of this government. And that's where the member from Silver Springs should be able to apply a little bit more business acumen to the decisions of this government so that even if they're going to do something that we disagree with and that I disagree with, which was to sell SCN, a Crown asset that fulfilled a greater good as it related to our economy and as it related to our film industry and our cultural presence to the world, if we will, Mr. Speaker, but at least if they're going to push in their ideological pursuit to sell off that asset, you would think that they would at least have the business sense or acumen to make sure that they received the appropriate return for the shareholders that they represent, the Saskatchewan people.

And they've certainly failed to do that. Instead they sell this thing off. Instead this thing gets sold off on a fire sale price to a company that's now just months later, Mr. Speaker, months later seen through the weak agreement that was put forward by this crackpot team of Justice officials over here who . . . crack Justice officials over there, Mr. Speaker, to correct my record there. And then ends up having this sold, Mr. Speaker, with a profit. And this is the people's asset and loss.

[19:30]

And I guess when we look at this here too, we have to recognize . . . And I found it rather interesting that the member from Regina Northeast would hit his table and provide support for the sale of SCN. At one point, Mr. Speaker, we had a thriving film industry that was growing significantly in this province and specifically in this region. We had an industry that's . . . We have an industry now that's just a fraction, a mere fraction of what it was, in fact almost about one-eighth of what it was. And you know, we're talking about an industry that was a 60 and 70 and \$80 million industry here in our province that's now a paltry \$10 million.

Not only have we lost that economic activity in this province; we've lost jobs with many young, skilled, creative individuals, and individuals skilled and creative right across demographics, Mr. Speaker, who were earning a living here in Saskatchewan and in Regina, contributing back to our community and certainly to our economy. So that's certainly an economic loss for our city, being Regina, and for our province, Mr. Speaker. And I'm really surprised that the member from Northeast would be in support of something that's been so detrimental to the economy of our city.

Not only am I disappointed on the front of the lost economic activity and the jobs and these creative young minds and professionals, Mr. Deputy Speaker. I'm certainly also

concerned by what we've lost as far as being able to tell the Saskatchewan story in a proud way to our neighbours, to ourselves, and to the world. And we see significant change on this front. And that's too bad. And this fits into some of your cultural and social well-being as a province, and I don't know how you place an exact value on that. But certainly just from the raw, hard data and economic analysis, this has been an ideological decision that hasn't been in the best interest of Saskatchewan people. So a disappointing decision by government.

And I know even when we look at the film industry suffering under this government with a government that had a, I believe, some sort of a task force that came together, put forward recommendations, and acted on not a single one of them — sits on it to this day. Meanwhile other jurisdictions have refined how they relate to the film industry, and we've seen that industry thrive in other jurisdictions, Mr. Speaker.

And when we look at the destruction of or sell-off of SCN and we try to connect that to some of the lack of activity in the industry, what we need to recognize is that SCN itself was often the first dollar in as it relates to financing into films in this province that were being produced in this province. And that question of financing within the film industry, Mr. Deputy Speaker, isn't a small one. It's a significant barrier for many productions and a significant enabler for us to have had a tool such as SCN to play that role in production and as in co-financier and often first dollar into those operations.

So what do we see from this? Well we've seen a reduction in economic activity in our film industry. We've seen many young people lose employment, many people leave this province as a result to go work in other industries. This is a creative industry that adds to our cultural and social well-being. And it's a disappointing story, and of course the other one being that this was sold off at a fire sale price for which now some other private corporation's seeing some sort of a benefit.

Now the member for Moose Jaw North says he doesn't know what I'm talking about and, Mr. Deputy Speaker, that doesn't surprise me one bit, Mr. Deputy Speaker. Anyways we are disappointed with the sell-off of SCN. And we've been on the record on this, and certainly we opposed and fought it in every way that we could.

If I look through the rest of this, some of the changes and some of the statutes that are being repealed by the way of this Bill, there are some changes here. *The On-farm Quality Assurance Programs Act*, and I understand that this is changing as a result of a federal program that takes responsibility for those responsibilities replaced by a federal agency, that being the Canadian Food Inspection Agency, who has taken over that role. I guess the only question I may have on that is that that federal agency is now fulfilling that role. The question is, are they covering all aspects that were being covered by this previous provincial function? And is there any abilities to strengthen legislation on this front, or are we in an optimal environment, as we speak, with these changes?

If I look further into some of these other changes, I notice the soil drifting Act that, as I understand, is likely no longer required with many of the changes and practice in agricultural

practice — minimum till or zero till which is a common practice across the province and likely continuing to, continuing to grow. I think that right now we have 80 per cent across the province that's covered. But I think what's interesting is while this is a change that is likely, likely reflects change in agricultural practice, it takes us back to another point in time in the province.

And it's just sort of interesting on that front that of course we were at a different point in time in the droughts, and in this case, this was brought in actually in 1941 but likely in response to what had been a severe and difficult time in this province. It takes us back to that view of things. But I think it allows us to also question where we are going in the future, not so much as it relates to this piece of legislation specifically but maybe more so from an environmental perspective or that of soil . . . Well soil conservation is being addressed in many ways through changes in practice. But questions of climate change, question of drought, question of watersheds, adequacy of watersheds and how will we fare in a period of climate change? What are the potential cycles that exist in this province? And what is our, what is our . . . the planning around our watersheds?

Right now we're very dependent, very dependent on South Saskatchewan River, the South Saskatchewan River for our water in southern Saskatchewan. And of course the South Saskatchewan River is very much dependent on glacial melt but also rains and as well, in some ways, what Alberta is utilizing as a province. So it calls for an area certainly of long-term planning and making sure that we're understanding potential cycles in weather but also making sure we're planning for of course residents and for industry here in Saskatchewan and protecting and planning for adequate watersheds into the future.

I know there's debates and questions on right now in some ways about making sure that we have some of that planning in place and decisions being driven by evidence. And we have a lot of activity going on in the province as it relates to potential development of mines in the industry, activity that is encouraged on a whole host of many fronts. But we need to make sure we are also doing a bit of check and balance on the environmental scorecard as it relates to water usage. And significantly right now, that would be the potash industry that's expanding significantly and certainly should be part of our fulsome discussion and planning because these aren't plans that should be made over a three- or four- or five-year plan or a one-year plan. We really do need to be planning out generations forward and understanding water usage and watersheds as we move forward and into the future. So it certainly speaks to collecting the proper data, putting forward plans and understanding the challenges that may exist and the opportunities that exist on these fronts.

And I have no confidence with the government that we have that that sort of thoughtful, evidence-based, research-driven approach will be employed. I would, you know, tend to believe it would be more like the way this government constructs labour law, specifically Bill 5 that was found to be unconstitutional or running roughshod in certain ways with refuting, I think, a lot of evidence that exists. And we see this now in education as well where best practices is being refuted and a different course of action being taken by this government.

So it is interesting to look at the soil drifting legislation and allow us to examine I think part of our history as well and then examine where we're going into the future, not just from a perspective of agricultural practice but also from a perspective of environmental protection and planning and making sure that we're understanding the whole piece as we move forward and not living in a real short-term sense, Mr. Deputy Speaker.

Just looking through a little bit, I guess some of the other components of this piece of legislation, there is changes to or repealing of *The Special Payment (Dependent Spouses) Act*. And this is I believe a piece of legislation that related to compensation of benefits for a spouse. But the circumstances that, and I'll quote from the minister here, that "given the limitation on application of the benefits, there is no further need for the legislation. Furthermore two court challenges to the Act have been dismissed." So by taking the minister's quote at face value, this Bill is no longer relevant. We'll certainly ask some questions on that front, seek some input and engage in consultation, but those points seem to have been put on the table.

So here we have five pieces of legislation that are being repealed or statutes that are being repealed, and that's certainly reflective of changes from a legislative perspective or by change of practice in the case of the agricultural side. But it also highlights a couple of points that are of concern to Saskatchewan people, and that being specifically the sell-off of SCN, losing control of being able to play an important role in the film industry and to foster that sort of important economic development. And really that was just the start of what could have been with the film industry. And really we can get this back on track, but it's going to take some work after being relegated to the role that it has by this government, by choices of this government.

The film industry here in Regina, and in Saskatchewan, fulfills great importance to our economy, to our cultural and social well-being, and we'd really like to see some actions on that front other than, other than actions that have harmed the industry and harmed our economy, our film economy on these fronts. Lost employment as I have said, Mr. Speaker, and, in the case of where this fire sale went on of an asset that was owned by the people of Saskatchewan, where even, where that was sold, where certainly fair value wasn't extracted, and a complete loss of control of this important tool as it related to cultural development or economic development, social development, so many different fronts. And I would suspect that every member in this province should stand opposed to that in being able to tell the Saskatchewan story, but at the very least every single Regina member that has seen the loss of that film industry economy in our city should be urging that government to get a plan together with the film industry and to certainly recognize the error in its ways to date.

The other piece of legislation, as I mentioned, was the labour legislation that related to two specific collective bargaining agreements and those changes . . . or that is no longer required because of amendments made to Bill 6. Bill 6 of course again is reflective of a government that was elected in 2007 and then rammed forward two pieces of legislation that shifted the entire balance of respectful labour law, taking away rights of workers, eliminating opportunities for unions to operate in a fair and

balanced way, and shifted that way over to the opposite side of the spectrum and into the hands of employers in a very unfair fashion — and of course one of those pieces of legislation now being found unconstitutional by Justice Ball.

So it highlights some significant errors in direction by this government. These repeals of some of these pieces of legislation and others reflect change in practice or another level of government taking control of certain aspects that would be specific to the change to the Canadian Food Inspection Agency that's fulfilling a role that was being provided prior to by a provincial mechanism.

We'll continue to do our due diligence on these files, to do our consultation and to ask our questions. But certainly we oppose the sale of SCN, the loss to our economy, the loss of those jobs, the loss of those creative people. Certainly we oppose the approach of this government in running roughshod over fair and balanced labour legislation. And certainly we urge this government, as it relates to watershed planning and understanding climate change and the impacts on Saskatchewan, we urge this government to get a handle on the evidence on this front, the research on this front, and then to have some meaningful planning that balances off those responsibilities to Saskatchewan people, Mr. Speaker.

It's been my pleasure to weigh in on discussion here this evening. And at this point in time, I would move adjournment of Bill No. 26, *The Miscellaneous Statutes Repeal Act, 2011*.

**The Deputy Speaker:** — The member from Rosemont has moved to adjourn debate on Bill No. 26, *The Miscellaneous Statutes Repeal Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

[19:45]

### Bill No. 27

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 27 — *The Education Amendment Act, 2011/Loi de 2011 modifiant la Loi de 1995 sur l'éducation*** be now read a second time.]

**The Deputy Speaker:** — I recognize the Leader of the Opposition.

**Mr. Nilson:** — Thank you, Mr. Deputy Speaker. It's my pleasure to rise this evening to talk about *The Education Act* and an amendment to that particular legislation. But I think it's important to remember that *The Education Act* and all its predecessor legislation has been a key building block for this province. And there are many ways to go at what the particular amendments are in this legislation, but I think we have to remember some of the points in the history of Saskatchewan where the school legislation made a big difference in how the province developed.

I'll just make a couple of highlights about that. It's almost 100



years ago that there was legislation passed around 1916 that brought in public school legislation which effectively created some standards for schools across the province. And it came out at a time during the Great War, the First World War where there was concern about the province of Saskatchewan, where our provincial motto was “from many peoples, strength.” And so there was a sense that there should be some uniformity in the school education of all of the young people in the province of Saskatchewan as part of a way to unify or bring together the people of the province. And it’s quite interesting that one of the people involved in looking at much of this legislation and working in that legislation at that time was a teacher named J.T.M. Anderson who later became a premier of the province. And I think in many ways a lot of the work that he did in those years taught him about the province and about the importance of education.

I know from my own family history that that particular legislation ended up transforming quite a number of Norwegian language Lutheran schools to become part of the public school system. I know it happened with many German language schools as well.

But there were also people who were surprised by the legislation, and one of the biggest groups were certain parts of the German-speaking Mennonite people who ended up objecting to having some kind of a standardized system across the province. And one of the results of that rejection of the legislation was that there were trainloads of people who left our province, left Manitoba — was going through a similar situation — lesser numbers in Alberta, and they went to Mexico and they went to Paraguay. And they ended up living in those places for many decades. And some came back to Canada and some didn’t, but all the people who have a Mennonite heritage know about this, once again, immigration or emigration I guess I should say, people leaving our province because of legislation as it relates to education.

I point that out, which is about some of that history about a hundred years ago, because what we have now in our Education Act builds on some of those same kind of themes about, how do we provide good quality education for our students right across the province? And I know that we have contacted different groups in response to the changes in particular legislation, the questions always come back. What are the best choices made in the 21st century, this first part of the 21st century for the education of children? So that becomes the standard that needs to be raised and that comes from school boards. It comes from school administrators. It comes from teachers. It comes from the public.

The question is also asked, how much consultation, how much work do we need to do together before we make changes in legislation like *The Education Act*? I think the answer is always, as much as possible. And so when we look at this legislation as opposition, one of our questions becomes, what kind of consultation has there been and where and how has that been done?

Now the minister, when she was presenting this legislation, she set out some of the things that she had done around consultation, and frankly there were some parts that were missing. And all I will say is that it’s absolutely important that

as this legislation proceeds through this session and through this legislature and, more importantly, as the regulations are developed with respect to this legislation, it’s absolutely crucial that communities are part of the discussion, that teachers are part of the discussion, school boards are part of the discussion, that the senior administration within the school system is part of the discussion. And most importantly, that parents and children, the families of the province, understand what is happening.

Now there are quite a number of amendments that are being made to *The Education Act* in this Bill No. 27 and I think the one that ends up getting some of the most attention relates to the start of the school year on the Tuesday after Labour Day each year. And that’s a proposal that reflects a relatively common way of starting a school year right across Canada. But there are questions about how this was done.

I know that over the decades there have been quite a number of days when school starts. And I know from reading the local histories of Saskatchewan that there were often school dates start that were the Monday after the end of harvest for example because so many of the young people of a community were needed in the harvest. So it wasn’t even a fixed date when school would start, but it would start after harvest was to begin.

Now in this particular legislation, we have this suggestion of a start date which I think has quite broad support, but also it’s something that is subject to discussion. But I think practically that it does have quite wide support.

But then we go into the other questions of how the whole school year is structured. And one of the aspects of this particular amendment Bill is that it actually puts a lot of that discussion outside of this legislature but into the regulations. And that’s not necessarily a bad thing, but it depends once again on the processes that are used to establish these school years across the province.

And so this is going to be an ongoing process, an ongoing timeline over the coming years as this is sorted out after this type of legislation has been passed. And we will be watching carefully how that’s done because it does obviously have a direct effect on the education of the young people of this province. And as we know, that education is crucial in the long-term economic prosperity of our province.

Now there are some other changes in this legislation other than the ones around the length of the school year and holidays and things like that. There are also some changes that relate to I guess what I would say the financing of education, and they are, as a result of some of the changes that have been, are in the process of being implemented by this government. We’re actually looking forward to hearing what’s in the budget in a few weeks because it will be once again absolutely crucial for communities to know what kind of resources they have available to them when they do the job that they are supposed to do.

Now what we know is that the provincial government in 2009 took away the ability of school boards to set the taxation rates in their communities and have ended up basically saying that they’re using the funds from the provincial government to fund education. We’ve heard rumours. We are waiting to hear what

happens with this budget, but we've heard rumours that there will be some adjustments and changes between the different parts and areas of the province as it relates to funding for education. And they have, the government has some opportunity here to do it in a way that is supportive of education. They also have an opportunity to cause a great deal of stress and a great deal of difficulty. Right now, I would say this is an area where people are fearful about what the government's going to do. And so we are once again watching that carefully. But how that's done is set out in this particular legislation.

Another aspect of this which we have a great deal of difficulty with relates to the method that the Finance minister and the Premier use for accounting for the finances of the province. This particular legislation eliminates the ability or the process that we've had for many, many years for school boards and school divisions — whatever the title we're going to use here is — can borrow money. And effectively what they've done, and you can read the sections in here, they've eliminated the use of the Saskatchewan Municipal Board borrowing rules and how that was done, which basically uses the interest rates of the province, which as we know, we have good financial standing for borrowing in this province. So there's some of the lowest rates anywhere in Canada.

What this legislation does is for building new schools or for building facilities or purchasing equipment within the school system, this Bill pushes that borrowing out to commercial lenders which are at a higher cost. And so we know that, given the amount of money that the whole school system as a whole needs to borrow, that this is going to involve millions of dollars in extra money that's required to do the same thing that's being done now. We haven't had an explanation from the minister. We haven't had an explanation from the government of why this makes sense because it doesn't make sense.

Mr. Deputy Speaker, we are wondering what is the motivation for this. Why would we, as a relatively sparsely populated place on this Earth — we've got just over 1 million people — why would we set up a system that forces people to borrow money at a higher rate to educate our children? It doesn't make any sense, Mr. Deputy Speaker. This question has been asked of the minister. It's been asked of the Premier again and again and again. There's no answer. One practical suggestion that I have on reviewing this legislation, and we will be making this suggestion again as we go into committee, is why not drop this proposal in here? Forget about this proposal. Leave the old rules. Allow the school boards to borrow money at the very preferential provincial government rates and continue to do that because it's costing us all money. And who is the money going to? If you borrow it from a national bank, it's going where? Toronto, you know, some other place. It just doesn't make sense.

[20:00]

And so I'm not sure if this is the brilliant idea, the brilliant idea of the Minister of Health, or it may be the brilliant idea of the member of Moose Jaw North. He has a long record of this . . . well not long, but a record of being here with lots of great ideas. But this point is one that I would ask even the members of the government caucus: you have a role, even a greater role than

you did last year in the fact there's so many more of you. And I have respect for the ability for you as a caucus to ask questions. Why aren't there questions about this? We all represent communities where education money is important. Why would we set up a system where you have to pay more money in interest? It just doesn't make any sense.

And so, Mr. Deputy Speaker, and I say to all of the members opposite, why don't you sit down in your caucus? Why don't you ask some questions of the minister and her deputies and others? What's the purpose of this? And if you have a good reason for it, well tell us here in this legislature. Tell the people out in Lloydminster. Tell them in Swift Current. Tell them across the province because the Premier talks out of one side of his mouth and he says hey, everything's booming; the other side of his mouth, expect cuts, watch out. Well here's a situation where there's a boneheaded decision to spend more money that has no rationale. If there is a rationale, tell us. It's that simple.

And, Mr. Deputy Speaker, we have raised this on a number of occasions. I know that our critic for Education has been travelling around the province and you have a lot of people who are the leaders within the education system asking the same question. At a time when you've got scarce dollars, why do you force us to borrow money at these rates? And there is no rationale in the Bill. There is no rationale in the comments from the speaker. And so we also, you know, tied in with this is the total elimination of local community control over what the property taxes will be in a local area because it will be done by the minister and her staff, or I guess the Premier in cabinet and the minister. So there's something that's just out of whack. People wonder why we continue to raise the ability to manage to make common sense decisions that Saskatchewan people expect.

So what have we got here? I challenge some of these members opposite. You've got a whole bunch of teachers that have been elected. You've got a whole bunch of people that actually know how to count money who have been elected. You've got people who have served on school boards who have fought for every dollar to make sure that their kids have got the programs and facilities are there.

Show us that there is some chance to change this. This doesn't have to go ahead this way. It doesn't have to go ahead this way. And I challenge you. The people here in this province, we had a couple of the teachers that went out and looked at math curriculum. Well how much is that going to cost us? You know, maybe some new textbooks or something like that. Maybe we should get a couple of the teachers or school board guys to go around and take a look at the financing for education that's being proposed by the minister because there is no rationale for it that I have been able to find. And when you go through the Act and you see paragraph after paragraph that basically repeals an old system that's worked for a long time, you would like to believe that there is some new, smart, better system proposed. It's not here. It's not here.

Now, I have been looking at this and trying to figure out why, why would the Premier do this? Because I'm pinning this one on the Premier. He can change the ministers any time, but the Premier's there. The Premier has done this because, in

consultation with his Finance minister, he knows that the books aren't balanced. He knows that there's not enough money coming in to pay for all the things that are required to run the provincial government. And one of the ways that he can get around some of the rules using the old GRF [General Revenue Fund] is to push that debt out far away from the provincial government. And so you can create this little — I think I can use the word phoney — system to have the school boards borrow money but you can create this way that costs the school boards more money and to cost all of us more money as a way to push debt out from the traditional ways of borrowing money. But we'll have people like the KPMGs, the Deloitte & Touche, Mr. Gass from the Gass Commission say that this is not an appropriate way to do it.

So, Mr. Speaker, it's quite curious that the minister in this legislation actually listens to the Provincial Auditor on one point, and that point is that it's an absolute requirement that school boards file their reports with this legislature in the same way that the regional health authorities do. And so there is a clause in here which forces that reporting of financial information here in the legislature. Now what that does and what that does is eliminates this one reason, the only reason I can figure out, that they're doing this forcing school boards to spend more money. It basically says that you have to put all of the debt of your health authorities, you have to put all the debt of your school boards into the summary financial statements of the province. If that's the case, any smart manager, whether you're running a farm or a business or your own household, you will borrow the money if you need to borrow money for capital or equipment, you will borrow it at the most efficient and the best place you can borrow it. So what's the explanation, Madam Minister? What's the explanation for this, for this particular legislation because it doesn't make sense?

So, Mr. Deputy Speaker, I encourage you members in this caucus of the government that it's your job to pre-screen this kind of stuff and make sure it doesn't show up in the legislature so that we have to spend all this time talking about it because practically this is a crazy idea. It's an idea that costs communities across the province money. So you end up to build some facilities in your community. And you end up having to borrow money, and you get an interest rate that's a per cent or per cent and a half higher than all the other borrowing that's done in the government. Where does the money come from? It comes out from that local school board's budget.

And, Mr. Speaker, we have no explanation from the minister. We have no explanation from the Finance minister. We have no explanation from the Premier as to what the purpose of this is. And, Mr. Speaker, it's our job as the opposition to raise the questions because practically many of the people who are trying to work in this field and get the budgets that they need to do the job of educating our children, they're afraid of what kind of response they will get from the minister, the Finance minister and the Premier if they raise this kind of question.

So, Mr. Speaker, we're doing our job as an opposition to say, tell us. Tell us what's going on. Tell us why that you're doing this particular thing. And there will be plenty of opportunity for the minister to do that and for the Premier to do that.

But I say once again, this is a very good example of why people across the province are wondering what's going on with the management of this government. This legislation and this proposal showed up after the election and surprised a lot of people by how silly it was and how this particular point has no explanation.

So anyway I challenge the members opposite, especially the teachers, especially the former school board members, especially the business people, especially the good farmers who know how to make sure every dollar counts. I challenge you to look at this, get your minister in the caucus room, and tell her to explain what's going on here because it doesn't make any sense for the education of the children here in Saskatchewan.

Now, Mr. Speaker, there are a couple of other things that are done in this legislation around changes that relate to consolidation of teacher education certificates and some of those things. I think they're added in there because the Act is being opened, and that's maybe an appropriate way to do it, and there does seem to be some explanation for that. There are also some amendments related to some ways that we used to organize our education system that are no longer in place. But they're all brought forward in a way that I think can make some sense. Added some appeals for teacher certification and classification — I think that some of those things make sense.

But it still doesn't cover up the fact that there's a major hole here, and it's costing all of us money that doesn't need to be paid. But more importantly, it's taking away money that could be used for the extra equipment in the chemistry lab, for the athletic equipment in the gym, for some of the educational assistant jobs that have been eliminated. And I think, Mr. Speaker, that we all deserve an explanation about why this has been done.

[20:15]

So I look forward to receiving a letter. Maybe the minister can write a letter explaining the rationale or I guess maybe the Premier might be the guy that should be sending us an explanation for this so that we can share it with the people of Saskatchewan as to why this is being done. And so I think that it's very curious that the minister especially has brought this forth without much of an explanation at all. And so I know that education is absolutely crucial for the future economic well-being of the province, and it needs to be done in a way that builds the economy of the province. And I state it this way because I know the Premier has one of his goals is to build the economy of the province. But when you do it in a way that doesn't make sense, when you do it a way that's not explainable to ordinary common sense Saskatchewan people, then we've got a problem.

So, Mr. Speaker, this particular legislation had some surprises in it when it was introduced, and they related to how the school year is organized. But the bigger surprises are around this rather strange method of financing that's going to cost us all more money. Now maybe, maybe another rationale — you've kind of got to really grasp to figure out why they might do it — but, you know, maybe at some point the borrowing ability of the province will be substantially less than the school boards. And so maybe we're getting ready for that, but I hope not. We had a

situation like that about 20 years ago or so, and so you maybe wanted the school boards to be in a position to borrow. But my goal, I know our goal as an opposition is to keep asking the questions to make sure that we get the best value for every dollar that we spend through the provincial government.

So, Mr. Speaker, I think I may have some more things to say about this particular Bill another time, and I know my colleagues have quite a few questions to continue to ask about this Bill. And I think it would help us if the minister and her officials would gather some information and provide it to us before this is put on the order paper again, but we'll see whether that happens. But at this point, I will move that we adjourn the debate on this particular Bill.

**The Deputy Speaker:** — The Leader of the Opposition and member from Regina Lakeview has moved to adjourn debate on Bill No. 27, *The Education Amendment Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

#### Bill No. 28

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 28 — *The Education Consequential Amendments Act, 2011*** be now read a second time.]

**The Deputy Speaker:** — I recognize the Leader of the Opposition.

**Mr. Nilson:** — Well thank you, Mr. Speaker. I think I may echo the words of the minister on this particular one, where she says, "Thank you. I rise again to speak on Bill No. 28." These amendments to *The Municipal Board Act* are consequential to the changes to *The Education Amendment Act, 2011*, Bill 27 that we were just looking at.

So, Mr. Speaker, this is a continuation of some of these changes that don't appear to be very logical, if I can put it kindly, that actually increase the costs for providing education for the young people of our province. And, Mr. Speaker, the consequential amendments are . . . I guess they're not very long in one sense but — but— they once again go to the financial supervision of this and basically transfer the ability for this borrowing to local authorities at the approval of the minister.

So this is something that is clearly foreseen by the minister. The minister basically says, well you can go and borrow money from these commercial entities at a higher rate, as long as I approve that higher rate. Now that's a bit strange in and of itself, but that's the way this legislation is worded. And so it moves it away from the traditional way and the people who have done this kind of borrowing on behalf of the school boards for many years and puts it at the discretion of the minister. And once again that may be something that the members of the government caucus might want talk to her about as to what the reason is for that.

But more importantly, the fundamental question is, why do we

set up a system that's going to cost us more to do the same thing? And I still do not see anything in here that gives an explanation for that. The comments of the minister don't give any explanation for that. And one thing she does say in her comments that she made on December 14 — and once again, maybe it goes to the heart of this budget we're going to be seeing soon — is that she said, basically this borrowing that's done outside of the provincial government borrowing system, it says, "Instead the cost of servicing capital . . . will be funded by a dollar-for-dollar increase in the operating grant paid to boards of education."

So they're saying, well right now to borrow money, you're paying it at the provincial rate and you're going to pay now 1 per cent more or 2 per cent or whatever that extra amount is, but don't worry. We'll just pay it out of the provincial Education budget. Well whose budget is that? That's the budget of the people of Saskatchewan. It's not the minister's budget. It's not the Minister of Education's budget. It's not the Minister of Finance's budget. It's not the Premier's budget. So is there some arrangement around this kind of borrowing in other places that we don't know about? I ask the members of the government caucus to spend some time with your Minister of Education and the Minister of Finance and get an explanation for the people of the province of Saskatchewan. Because practically this does not make any sense.

And I know that most of the time this kind of a Bill was brought forward with information that would actually provide an explanation so that we wouldn't be given such an opportunity to ask all of these questions. But I think practically on this one, they've either missed something or there's some other purpose that is secret that they don't want people to know about. Or it may just be bungling. It may just be straight, ordinary bungling of the Education budget.

Well that's not good for anybody, but it's especially for the children who are getting an education. It's not good for the teachers. It's not good for the school administrators. It's not good for anybody in the province of Saskatchewan.

So, Mr. Speaker, this particular Bill 28 furthers this project as it relates to moving the borrowing to some other place at a higher cost. Most of the time governments that operate on a smart basis or a lean basis or something like that, they do it in a way that's going to do the same job and save money. Here we have a proposal. Maybe it's called the more enhanced or some sort of bigger method that ends up costing us more with no explanation. And I think that we all deserve an explanation of what is going on in this particular legislation.

So, Mr. Speaker, the comments of the minister talk about fair balance of resources allocated to school divisions and basically dealing with education property taxes, but somehow this money is going to have to be paid from the taxpayers of the province, and we do not have an explanation for that. Now we know, we know that the government has been using the Crown corporations and other places as sources for funding when things get a bit tight. We had the Finance minister saying that both in the House yesterday and out in the rotunda that the flooding costs were taken out of some of the Crowns. And it may be that that's the goal here as well, but we don't know that, and we need to have an explanation.

Mr. Speaker, when legislation is not explained in this House and it maybe has some other purpose which the government is not willing to tell us, that is a direct affront to the people of the province. It's a direct affront to democracy and what the democratic principles are. So I encourage all the members of the caucus, we'll let the executive members who brought this thing forward explain it to you, and then maybe we can get an explanation from some of the backbenchers across the way in terms that will either pull this part of the legislation and put something that makes more sense or give us an explanation. But, Mr. Speaker, at this point we don't have that and I think that we all deserve it.

So, Mr. Deputy Speaker, this Bill No. 28, *The Education Consequential Amendments Act* together with Bill No. 27, both of them need a better explanation as it relates to the finance portion, and we look forward to the Premier and the Finance minister and the Minister of Education providing that information for the people of Saskatchewan. And we'll be happy to look at it too, but I think it's the people of Saskatchewan that deserve a better explanation as to what is up with this particular Bill and the previous Bill. So, Mr. Deputy Speaker, I move to adjourn the debate on Bill No. 28.

**The Deputy Speaker:** — The Leader of the Opposition has moved to adjourn debate on Bill No. 28, *The Education Consequential Amendments Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

### Bill No. 29

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 29 — *The Enforcement of Maintenance Orders Amendment Act, 2011/Loi de 2011 modifiant la Loi de 1997 sur l'exécution des ordonnances alimentaires*** be now read a second time.]

**The Deputy Speaker:** — I recognize the member from Saskatoon Nutana.

**Ms. Sproule:** — Thank you, Mr. Deputy Speaker. It's with great pleasure that I arise this evening to speak to Bill No. 29 which is *The Enforcement of Maintenance Orders Amendment Act 2011*.

To begin tonight, Mr. Deputy Speaker, I would like to address the comments of the minister as he introduced this Bill in the House on March 5th just this week. He said his goal here is to modernize some of the provisions of the 1997 enforcement and maintenance orders Act, which governs the operation of the maintenance enforcements office.

Before I get into the actual provisions of the Bill, Mr. Deputy Speaker, it may be useful — particularly seeing as how this is the month for rural women and the International Women's Day is coming up this week — is to review a little bit of the history of the divorce law in Saskatchewan as it came about.

And certainly I think one of the seminal points for

Saskatchewan women, and particularly rural women, was the separation of matrimonial . . . *The Matrimonial Property Act* in the 1970s. And I recall someone telling me once that the anticipation there was that many young women would start filing for divorce once that Bill was introduced. And in fact it was the opposite. The majority of women who took advantage of *The Matrimonial Property Act* were women who had been in marriages for many, many, many years but couldn't get out because of economic need. And this was the only way they could get out of a marriage that was not good for them, was to be able to access some of the matrimonial property that had accrued during the period of the marriage.

[20:30]

So that's one of the turning points, I think, for rural women in Saskatchewan in terms of economic freedom based on being part of the farming economy. And certainly following that, the establishment of maintenance enforcement offices and means and ways for women to obtain child support in the event of a divorce are very important factors in, I think, women's rights in this province, and certainly the rights of the children.

The notion of child support or child maintenance is one that's quite common around the world now, and it is, I guess, a fairly new phenomenon in the last 100 years or so. And certainly it's been recognized even internationally in the Convention on the Rights of the Child, Mr. Deputy Speaker. And particularly it's article 18 of the international convention that speaks to the international community's view of the role of parents in the event of a separation. And it reads this:

#### Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

So the focus is definitely on the child.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties [and Canada is one of the signatories; there's only two countries that haven't signed, and that's the United States and, I think, Zimbabwe] shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children."

And finally, the article says:

"States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible."

So not only does it speak to support, but that for working parents there should be adequate child care as well. On that

side, I'm not sure that we as a society have been as successful as we have been maybe on the enforcement of maintenance, but that's something else that me and my colleagues will be speaking about in the days to come.

Anyway, in that context we can take a look at what child support is. There's a number of key features to child support, and the legal theory is that both parents are obliged. And we see that in the international Convention as well as in domestic law. One of the interesting things to think about, Mr. Deputy Speaker, is that when there is no divorce, there are no legal obligations. It's only once the parents are separated that legal obligations arise in terms of how the children are cared for — outside of neglect, I guess. So that's one thing that was presented.

The other thing is that child support is not the same as contact. Those are two very different issues, and quite often they get confused. So parents need to understand that despite you may or may not be seeing your child if the other parent has custody, that child support is still a legal obligation and must be paid. I think there's better education required in that area because I think that's one of the most constant sources of confusion for couples who have separated where one parent is not able to have contact either through distance reasons or simply the acrimonious state of the divorce.

There's a requirement that the payments be used for the child's expenses, and I think that's pretty clear as well. Parents who are unable to come to an agreement amongst themselves do have the option of going through the court process, and in Saskatchewan we have a fairly strong history in that case as well because in Saskatoon was one of the first family courts in Canada where there was a specific court designed for the needs of people going through this difficult time of their life. And divorces are very emotional and draining times and certainly the establishment of this court, I think, has gone a long ways to making that transition from marriage to divorce more civil and more meaningful and certainly more healthy for the children.

Sometimes the courts are used for calculating the amount if the couples cannot come to an agreement on the amount of maintenance that's to be paid, and courts can also vary the circumstances. If there's a change in circumstances for the parent who is making the payment, courts will look at that, and certainly this Bill is looking to deal with that as well. Courts are also responsible and the law is responsible once the order is issued for maintenance to ensure the distribution of payments are made and also the duration of the support order.

This isn't a straightforward issue by any means in our society, and we often hear the phrase deadbeat dads. That's kind of perhaps not a fair assessment of all situations. I think there is a number of situations where it happens to be the father, and it happens to be a father who has no inclination or desire to make payments, but in many instances it's a situation where either parent, whoever is not the custodial parent, simply does not have the funds to meet what would be expected as the proper level of support. And in those cases it becomes a very difficult issue, but courts make the best effort to ensure that it's fair for both parents and for the child of course who is the ultimate beneficiary.

In the case of an unwilling parent who simply just has no interest in looking after their own children and they're not the custodial parent, there are ways to ensure payment of support. It's called enforcement proceedings, and it may involve taking their driver's license or seizing or garnishing their bank accounts or whatever means necessary the court has, and there's a number of means available to the court to ensure enforcement. That obviously is a situation of last resort, Mr. Deputy Speaker, and it's not one that anyone really wants to get to, including the parent who owes because the law is a fairly heavy stick in this instance.

So with that background in mind, it's time now maybe to take a look at what the minister said yesterday about this office and why this Bill is necessary in the view of the government. So the Bill itself basically sets up the operation of the maintenance enforcement, and he refers to it as the MEO [maintenance enforcement office] as we acronymize things. It was established in 1986, and this office is responsible for recording and enforcing support orders registered with the office. Sounds pretty straightforward.

I think there's something to be proud of here for us is that over 91 per cent of the payments due were collected last year for a total of \$35 million in collections. That seems like a high number, but I think it's really only the surface because many, many, many, many divorces occur without maintenance enforcement orders. So it just tells you the level of the status of child support in our province.

So this Act is designed to provide the MEO with enforcement mechanisms to help ensure that support payments pursuant to orders and agreements are complied with. Now that's what the minister has stated is the goal.

I guess there's a routine inspection of the legislation and this is just another routine inspection. And in this case, there's a couple of new provisions that are being added. One is the calculation, collection, and enforcement of interest on outstanding arrears. This is something that's new. And also the office is implementing a new, customized computer system to keep track of maintenance orders and payments owing and received, and I'm glad to see the office is taking those steps again. I think that's something perhaps we could even hope the Legislative Assembly would be able to take advantage of, is better computerized systems for tracking payments and financial items. The amendment will allow them to charge interest once the new computer system is in this summer. So we'll be watching that as it comes through, if the Bill gets passed.

I guess the other and the critical feature of this Bill is the ability of the court to order suspension of certain enforcement actions for a period of up to six months. Now that's something of concern because although the order of the suspension is only in certain circumstances where the payer cannot for whatever reason meet their obligation, it does strike me as something of concern, Madam Deputy Speaker, because this is a way for people to get out of their obligations. And I know a lot of people who are resenting the obligations, despite the fact that there's a court order against them, may use this to their advantage. And I think the court is going to have to be ever vigilant on these types of suspension orders to make sure that

it's not abusive of the system.

[20:45]

And I think that's something that we need to . . . It will be extra work for the court. This is going to be an additional layer of orders that the court is not providing at these times. And I think this is something that may create a whole host of administrative work and concern and liabilities for the maintenance enforcement office. So I'm not sure what the minister has in mind in order to deal with the kind of additional work and the additional administration that will be required, plus the additional court time that will be required to get these orders in place. He doesn't speak to that at all in his comments here and I'm somewhat disappointed that we don't have his thoughts on that area — how he intends to pay for it and how he intends to add the additional workload on to the courts.

So he describes these suspensions in this way. He says the support order can be changed upon application, through agreement or a new court order. And that's the ordinary variance case. But in some cases the payer might be unable to meet his obligations so this provision will give them time to resume regular payments. And once the suspension order is ordered, it won't affect enforcement already in place and those are the things I've talked about earlier, like getting their driver's licence suspension removed, or the federal garnishment, any federal garnishment that's happening, licence suspension, or any registrations in the personal property registry or in the land titles system. So those are clearly not affected by these new orders for suspension.

The other salient provision of this Bill is one that allows the office to enforce a maintenance order against assets located in Saskatchewan in cases where the payer lives elsewhere, and even if the maintenance order is being enforced in another jurisdiction. So I think this is sort of a reciprocity provision to ensure that provincial boundaries are not barriers to successful maintenance enforcement orders and proper payment of child support.

So if an order is received from another province for enforcement, the MEO at this point in time would take over all enforcement against the payer, but in some cases they just may want the MEO to take over enforcement in a specific action. So in that case, if the payer lives in another jurisdiction but works or owns property here, it would allow for a garnishment to be placed in Saskatchewan at the request of another jurisdiction. And I think that's a positive move on behalf of the MEO because we know people are transient and often people work in different provinces, so to be able to hide behind that in order to avoid maintenance and support payments for children is not something that's desired, Madam Deputy Speaker.

The Bill also clarifies the confidentiality provision in respect to the release of information. And I will be looking at that in a moment to look more closely at the details of that particular provision. And they also revise the garnishment provisions to incorporate the new language for seizure of accounts. So basically it appears that every time garnishment showed up in the current Act, they're now changing it with the phrase seizure of accounts. Kind of like potato, potato, tomato, tomato, in my view, but it is a word and it has a meaning, and they're using

the new updated language which is called seizure of accounts. So words like garnishment apparently are going out of vogue, and this is attempting to keep up with the language of other jurisdictions. I guess the other thing the minister indicated is that the language will ensure consistency for both debtors and creditors.

Another aspect of this Bill is an allowance for the director of the maintenance enforcement office to complete a demand for information with respect to a recipient. That gives them access to more information on that particular recipient. There's a few other housekeeping items in dealing with the attachment for RRSPs [registered retirement savings plan], timelines for service, and agreements that are filed have to amend an existing order. There's a clarification, section 7.1.

So at this point I just want to take a quick look at some of the provisions in the Act and highlight the changes that are being contemplated. As I said earlier, the word garnishee has gone out of vogue and we are now looking at a word, seizure of account, and so that language has been changed throughout the Bill. There's a new definition for account debtor, and that shows up later on in the Act in terms of the context for that one.

This will be probably some debate, an issue of debate is the section 11.1(1). And it's a new section, and what it does is it requires the payer, which is the person in debt, to also pay simple interest calculated from the prescribed date in the prescribed manner on arrears. So payers now are going to have to also pay interest on their maintenance ordered arrears, and my concern is that as people get further into arrears, the interest becomes a further burden. So it's not certain how that's going to be managed, and I know in other collection actions quite often the interest is, becomes larger than the actual amount owing on the principal. So we will see how that plays out as the Bill is implemented and these interest amounts start accruing.

I talked earlier about the ability of the director to disclose information. That has been widened somewhat in the Bill under subsection 14. Sub (2) is repealed and the new section allows the director to disclose information to the extent necessary. Those are words that can cause concern as well because it's a quite a wide open determination and it's not clear who gets to decide what the extent necessary is. It seems to be implied that the director him or herself may decide what the extent necessary is. There are issues in relation to privacy that could be of concern here and I would hope that the minister's legal advisers have made an assessment of that and are comfortable that this doesn't infringe on privacy rights of the payers. So that's one issue of concern, Madam Deputy Speaker.

There's a number of other housekeeping items where headlines have been changed and the changing of the words from garnishment are throughout to seizure of account. The one other new section of interest is section 26.1(1) which seems to talk about the right of set-off against the claim and the payer. So it's a technical clause in relation to set-off and is added to the Bill. This was not discussed by the minister in his comments yesterday and I'm not sure why it was left out but it seems to be creating a right of set-off. And that's, I think, something that's common in other debtor/creditor-type legislations, so it may just be intended to bring it in line with other types of debtor/creditor legislation. But it's not clear to me and we don't

have any comment from the minister on that particular clause that's been changed. Even the explanatory notes that were provided basically say this is added but it doesn't provide us with any direction.

So I think at this point, Madam Deputy Speaker, just the notion that divorce is a difficult time in anybody's life and certainly in the lives of children, and that the system that we have in our legal system in Saskatchewan is one that's been at the forefront of ensuring that legal aspects of the divorce can be as smooth as possible given the trauma of such a breakup, and that the goal is always on the support of children. And so even from deadbeat dads to parents who are responsible, there is legal mechanisms in place and that the maintenance enforcement office is one that's well placed to assist parents where there's difficulties in these kinds of arrangements, particularly when there is acrimony and emotions are running high.

So this type of Bill to clean up the language and modernize the language to allow for a suspension, temporary suspension, in those brief moments when the payer is unable to make his or her obligations, provides them some relief. It will cause a hardship certainly for the parent that's receiving the payments and is relying on them, and I think it will cause hardship for the system in terms of administering them but hopefully the new computer system that's being designed to be put in place this summer will assist the office with the extra administration that's involved in these. Again the minister was silent as to the effect on the court and how that's going to happen. Perhaps this is something that can be done more through the office itself and the legal aspect will be minimal, but we will watch and see.

We are certainly concerned for, as I said, given that this is the month to celebrate rural woman and also given that Thursday is International Women's Day, we know that most often it is women who end up with the custody of children in divorce proceedings, and certainly this is an issue for many women in the province. As I said earlier, women are often isolated in rural areas and this type of consistent support is essential for them to continue leading successful and productive lives and to be good parents for their children. So at this point I think other of my colleagues may have some comments on this Bill as well, and I look forward to hearing what they have to say.

We certainly want to ensure that we've talked to people in Saskatchewan who are affected by it and want to understand better the effect on the office itself, and whether this government is prepared to fund it properly, given that we're getting signals that there are cuts coming in the budget and we're not sure where they're going to be. I certainly hope that they're not going to be in the maintenance enforcement office, particularly when new obligations are being imposed on the public servants that are working there. So we're not sure where the cuts are coming. We haven't heard. And we just have this warning that they may be here. So it's something that we need to be sure that doesn't affect children.

And certainly, as I said earlier, you know, other things in the international convention on the rights of children, in terms of the access to daycare and all those other human rights obligations that we have for keeping our children healthy and well looked after, are important things that this opposition will be looking for in the next few weeks and months to come.

So with that, Madam Deputy Speaker, I'm now prepared to move to adjourn this Bill for other debate on the Bill. Thank you.

**The Acting Speaker (Ms. Tell):** — The member from Saskatoon Nutana has moved to adjourn debate on Bill No. 29, *The Enforcement of Maintenance Orders Amendment Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Ms. Tell):** — Carried. Next Bill.

### Bill No. 30

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 30** — *The Enforcement of Maintenance Orders Consequential Amendments Act, 2011* be now read a second time.]

**The Acting Speaker (Ms. Tell):** — I recognize the member for Saskatoon Nutana.

**Ms. Sproule:** — Thank you, Madam Deputy Speaker. This is one of the inconsequential consequential Bills that we've seen coming through — inconsequential in such that they're just further housekeeping and just clarification and direction for other Bills to make sure that there's a continuity across the panoply of laws that apply to divorce and maintenance.

In this case, this is *The Enforcement of Maintenance Orders Consequential Amendments Act, 2011*. The various Bills that are being amended to come into line with the changes in this Bill, we have *The Automobile Accident Insurance Act* amended — and they strike out the word garnishment, again garnishment being out of favour — and also *The Enforcement of Money Judgments Act* is being amended with a new section on prohibition against discharging employees for seizure proceedings. So this prohibits employers to fire someone in the event that they get a notice of seizure on an account or a notice of garnishment. So that is being updated.

Also section 81 of *The Labour Standards Act*, same thing, updating the language on garnishment, and updating section 53 of *The Municipal Employees' Pension Act* with updating the language. And *The Pension Benefits Act* is also being updated in terms of the language there. We have *The Provincial Court Act*, public employees pension Act, *The Saskatchewan Income Plan Act*, and *The Saskatchewan Pension Plan Act*, superannuation Act, and *The Workers' Compensation Act* all being amended to strike out garnishment and substitute seizure.

So on that basis, Madam Speaker, I think — I'm just referring to the minister's notes from yesterday — it's a consequential amendment that affects the English-only side of the garnishments because that's the only place they're changing the word from garnishment to seizure. The French remains the same.

Given that, Madam Deputy Speaker, there is little further to be said on my part on this particular Bill, so at this point I would like to move to adjourn debate on Bill 30.



**The Acting Speaker (Ms. Tell):** — The member from Saskatoon Nutana has moved to adjourn debate on Bill No. 30, *The Enforcement of Maintenance Orders Consequential Amendments Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Ms. Tell):** — Carried. Next Bill.

### Bill No. 31

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 31 — *The Enforcement of Canadian Judgments Amendment Act, 2011/Loi de 2011 modifiant la Loi de 2002 sur l'exécution des jugements canadiens*** be now read a second time.]

**The Acting Speaker (Ms. Tell):** — I recognize the member from Saskatoon Centre.

**Mr. Forbes:** — Thank you. Thank you very much, Madam Speaker. I appreciate the opportunity to rise and speak to this Bill No. 31, *An Act to amend The Enforcement of Canadian Judgments Act, 2002 and to make related amendments to The Enforcement of Foreign Judgments Act*. And it seems like a good Bill at first glance, and it's one that is worthy of consideration. That's why we're here, to really comb through this and think about what does this really mean and what are the potential unintended consequences. We hear from the other side that it's good piece of legislation, and I'm glad they're enthusiastic about it.

I do have some questions about it. And it's one that builds on earlier work from 2002. And any piece of legislation that you have that's amended and brought up to date and made better is obviously a good idea. And so clearly the Ministry of Justice is keeping an eye on this.

And that's sort of leads me to my first question, you know. And I look through and I review the minister's remarks just from yesterday. This seems to be a critical piece that he's very happy to bring forward. He talks about being the first province to introduce this Bill as recommended by the Uniform Law Conference of Canada. And of course the Uniform Law Conference of Canada is well-established, has a lot of good credentials, and a well-respected authority. So it seems like it's a good thing to be doing.

But you know, we always get mixed messages from this government when it comes to being the first or the last. They don't want to do it because nobody else is doing it. Now they seem to be in a hurry to do this one. And I don't know if it's going to be happening across Canada. Is it part of a uniform move across the provinces that this kind of a piece of legislation is being introduced and we're part of that movement? Or is this going to happen over the next 10 years? We don't know. The minister is vague at best about this other than saying that we're going to be the first to do this and that it's somehow important to do this.

I am curious, you know. He talks about the amendments also extend good faith liability protection to law enforcement

agencies that take steps to enforce an order. The ease of international cross-border travel combined with the severe risk to an individual who cannot obtain immediate recognition enforcement of a foreign protection order by policing agencies makes the extension of this approach to foreign protection orders a priority. So my question is around priority. Why is it a priority? Is this something that's been happening a lot in Canada and they're trying to make a national move here? Is this something that's happening a lot in Saskatchewan?

And we know, and as my colleague from Athabasca spoke quite eloquently yesterday, about how we are happy and very thrilled to see the growth particularly in immigrants here in Saskatchewan. This is an exciting time for Saskatchewan. But is this an issue that they're having? Is this something that that community has brought forward and said, listen we need to have foreign protection orders respected here in Saskatchewan; it's a problem. I don't know if that's the case or not, and I'd sure be interested to know if that's the case.

There's several other reasons too. Maybe it's about tourism. People would feel free, much more at ease to come to Saskatchewan if they knew that their protection order that they had in, say, New York state or California would be respected here in Saskatchewan. Is that the case? I have no idea. And it would be an interesting thing because for sure we rely a lot on tourism. I know with the American dollar as the situation is now, tourism is taking a bit of a hit in that area. But again we don't know why the minister calls it a priority. Why does he call it a priority? We know of other issues of priorities.

The other one, you know, the other scenario that might be at hand is one relying to family custody issues and that with the ease of cross-border traffic . . . which is interesting because we're actually since 9/11 working very hard to reduce how easy that is. It's not very easy, not like it used to be to cross the border. What impact has that had? And so when we say foreign, are we really talking about American? Are we talking about recent immigrants? Are we talking about foreign workers that are coming in on a temporary basis, that somehow there are issues coming along with that? I would really like to know more about this.

I would like to know a lot more about this because clearly if we're going to be the first province to do it, it would make sense that we're the province that would gain the most or have some of the biggest issues with this. Because if we're just experimenting with the law, I can think of a lot better ways to spend our time, for the Ministry of Justice to do things other than say, we're first yet again. So I do have to ask, why the need?

[21:00]

You know, a couple of years ago I asked about foreign mail-order brides. And you know, the minister didn't know quite to know what to make of it. But actually it was something that was happening in Saskatchewan a fair bit, and they didn't seem really prepared to work on that. But there were issues about that because you know it is an issue, and it's an issue actually right across Western Canada, that women were coming to Canada under the idea that they were going to be married and it was going to be a happy situation. But they got here and they

found out that it was actually an abusive situation. And it was not a good scenario, but there was very little for them, very little support for them, and that's a real priority. And so I don't know if this is that same sort of scenario that the minister talks about, priority.

So I do have some questions about this. And of course it sounds like that they're working to make this work a lot easier, you know, if you, you know . . . And I don't know how the scenario plays out, Madam Speaker. Does somebody come into Saskatchewan, into the Regina airport, head down to the police station, say, listen, I've got this restraining order. I'm thinking that someone's followed me on the plane. And I'm only here for a week, and I want to make sure I'm resting easy. I don't have to worry about this guy following me or stalking me. What's the scenario here? I don't know. And so I feel like somehow I need to know more about this, and I am sure that there's good reasons here. But is this a problem in Saskatchewan that would cause the minister to say this is a priority?

We have lots of priorities in Saskatchewan, and I've got to tell you that with the new immigrants, we have priorities to make sure that they fit into the communities and that things are going well for them. And maybe this is one of them, maybe this is one, but I've not heard this too much. And I think that . . . And he doesn't actually talk about recent immigrants. He almost gives the sense that it could be either a tourism issue, you know. Or the other one I think about is particularly around movies or film stars, who happen to fly into work for a month or two, and they are worried about protection when they get into Saskatchewan if they are part of a film project. Maybe that's the scenario we are talking about. I don't know.

I don't want to get too far out there, but I do want to let the . . . I think that when the minister comes for the committee for second reading that he should be prepared, should be prepared for questions on his comments. And you know, with that, Madam Speaker, that I think that it seems relatively straightforward. And as I said, it builds on work from 2002 and, you know, and it comes from the Uniform Law Conference of Canada, which just makes a lot of sense. But like as I say, I'm curious about why the minister says this is a priority.

And I do want to just say, you know, as we scan and we read *Hansard* — we want to make sure *Hansard* is accurate — I just have a quote that I think we're going to have to ask the minister about in committee. This is what he says, Mr. Speaker, and I quote:

Mr. Speaker, in my view the balance of interests protecting an individual at risk and the possibility of violence arising from failure to act strongly tilts towards expedited recognition and enforcement of foreign protection orders. Therefore I will invite all members of this Assembly to protect groups for this conclusion and this Bill.

I don't know what that meant. What was he saying — to protect groups, to protect groups for this conclusion. So I hope the minister comes and says what does he mean by that. Maybe he meant consult groups. You know, this happens to me the odd time, where I am misquoted, and it's just the way I've got the

words out. I can't blame Hansard, but I will be asking for some clarification around that because these comments are very, very important. Because I know that for example in Bill 5 the Minister of Labour's comments were taken to court and are forming a very important part of an appeal that this government has decided to move forward with. And I don't want to get into that, but I do feel it's import that we have clarity with this.

So with that, Madam Speaker, I think that, as my colleague from Athabasca says, we're very happy to see that the immigrant community is here and that we have a lot of work to do to make sure we have the best services for them.

And this seems like an odd one because today even in question period we're talking about how services may be cut. Is this one that's in addition to Justice or just another layer? Or is it nothing they really do very much at all? And so there's not going to be really any cost but somehow it's a priority. Some question marks here.

So with that, Madam Speaker, I'm going to move Bill No. 31, *The Enforcement of Canadian Judgments Amendment Act, 2011*, I would like to move that be adjourned. Thank you.

**The Acting Speaker (Ms. Tell):** — The member from Saskatoon Centre has moved to adjourn debate on Bill No. 31, *The Enforcement of Canadian Judgments Amendment Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Ms. Tell):** — Carried. Next Bill.

### Bill No. 32

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 32 — *The Inter-jurisdictional Support Orders Amendment Act, 2011/Loi de 2011 modifiant la Loi sur les ordonnances alimentaires interterritoriales*** be now read a second time.]

**The Acting Speaker (Ms. Tell):** — I recognize the member from Regina Elphinstone.

**Mr. McCall:** — Thank you very much, Madam Deputy Speaker. It's a pleasure to rise in the debate for Bill No. 32, *The Inter-jurisdictional Support Orders Amendment Act, 2011*.

We're on a bit of a run here, Madam Speaker, in terms of the different judgments amendments Acts that have been brought forward and the enforcement of amendments. We just had a fine speech from my colleague from Saskatoon Centre. Considering the number of Bills that come from the Department of Justice, Madam Deputy Speaker, it bears to reason that's certainly where they keep the most lawyers in government, and certainly got to keep them busy. And so we have a fairly . . . a deluge of updates to the different sort of proceedings around interprovincial, international, interjurisdictional support orders, proceedings related to support-providing arising from divorces.

So, Madam Deputy Speaker, on the Bill itself as referenced in the Minister of Justice's second reading speech of yesterday — so this one's hot off the press, Madam Deputy Speaker — the

Act establishes the procedure for registration of a foreign support order for enforcement in Saskatchewan.

To further quote, “It also establishes the procedure for obtaining or varying a provincial support order where one party resides in Saskatchewan and the other party lives in another jurisdiction.” The minister goes on to talk about how “This Act is based on a model of legislation adopted in all provinces except Quebec.” Quebec of course possessed of the Napoleonic code and the particular, sort of unique legal traditions in that province.

Apparently there has been a fair amount of work done on a national interjurisdictional support subcommittee which monitors the operation of the process in each jurisdiction. I’m not sure if this, you know, how often they meet or if they provide reports or if this is something that lawyers and AGs [Attorney General] like to talk about when they get together, but this is one of the bodies that has seen this process going forward.

The minister reported to the House, June 2010, the subcommittee recommended amendments to improve the model legislation and that Saskatchewan will be the third province to introduce amendments to its legislation, following Alberta and Manitoba. Again, Madam Deputy Speaker, Saskatchewan coming in in third place, fair enough. At least we’re in the top half of the pack, but that we’re following after Alberta and Manitoba. At least we are keeping up with the neighbours.

In terms of the amendments provided, there will be a requirement of the court to apply the law of Saskatchewan first when considering an application. Presently the Saskatchewan court receives an application pursuant to the Act for support of a child, the court first determining if the child is entitled to support under the law of the jurisdiction where the child lives. If not, then the court will apply the law of Saskatchewan. Apparently it’s always easier for a court to apply its own laws first, and in most cases the child will be entitled to support under Saskatchewan law.

So again, Madam Deputy Speaker, this is about clarifying the process, keeping up Saskatchewan to other jurisdictions and ensuring that support orders or interjurisdictional support orders are enforceable and that the process around them is clear.

According to the minister’s second reading speech wherein he states that “. . . sometimes it is unclear from the order itself or the court file if an order was made pursuant to federal or provincial jurisdiction,” which he attributes to be important because if the original order was made under federal legislation, the interjurisdictional support order process under this Act is not available. Obviously important to know, Madam Deputy Speaker, if the Act itself is applicable. So again a good thing to clarify in terms of what the application of the legislation is.

The minister stated that “In some circumstances, an applicant may start a variation application and find out several months later that their application should have proceeded under the *Divorce Act*, which is of course a federal Act.” Continuing the quote, “Requiring the court to state in the order the legislation under which the order was made will go a long way towards eliminating the need for multiple applications to be made or

filed with the court.”

Now you’ll forgive me, Madam Deputy Speaker. I’m obviously not a lawyer; I’m just a humble legislator. But it’s interesting reading the legislation itself and then, you know, hearing it described by the minister. But it makes plain why you’d need to retain a lawyer in a divorce proceeding in the first place, particularly as it relates to interjurisdictional actions and the kind of complication involved therein.

This is fairly complex, and even where this attempts to make some simplification, some clarification, it’s still — I don’t think it’s unfair to say, Madam Deputy Speaker — a fairly complex set of proceedings. But lawyers, it’s the coin of the realm. And I shouldn’t complain about it, what with this being legislation coming out of the Department of Justice. And it’s not that I’m bitter about a divorce or anything about that, Madam Deputy Speaker, but should we all be so lucky to have amicable divorces in our lives, should that happen to you.

The minister went on to say that:

During an ISO application, the court in the reciprocating jurisdiction may request additional information from the applicant, and this information must be provided within the time period set out in the Act. The amendments will reduce the time period for providing information from 18 to 12 months. Eighteen months is a long time and can substantially [possibly] delay resolution of the ISO application, which, depending on the jurisdiction, can take anywhere from 3 to 12 months to be heard by the court.

Again, Madam Deputy Speaker, it reminds me of the old adage: sin in haste, repent at leisure. Or you know, maybe you can get married quickly but divorce maybe not so much, and if there are support orders flowing from the divorce, certainly there’s some complication that arises from that.

The speaker or the minister in the debate talked about amendments adding a new provision to establish location services in order to allow other jurisdictions to request a search for a person in Saskatchewan prior to sending an application to the ISO [interjurisdictional support order] unit. Again this makes sense in that if you’re going to have an interjurisdictional support order placed, it helps to have a person that you can put that order upon. So Saskatchewan’s ISO unit, while it regularly receives applications from jurisdictions that have reason to believe but, according to the minister, cannot confirm a respondent as living in Saskatchewan, this will aid in the attempts to locate the individuals involved.

[21:15]

Other amendments in the legislation being brought forward requiring foreign jurisdictions to provide proof of their law governing duration of support. Again, Madam Deputy Speaker, reading through the minister’s speech, it’s hard to imagine why you’d need a lawyer to get through a divorce, but it’s interesting to see the process laid out in the minister’s speech.

The final thing that I talk about in this connection, Madam Deputy Speaker, one of the phrases that recurs throughout the

legislation as presently stated is “ordinarily resident” and that will be replaced by “habitually resident” to be consistent, according to the minister, with the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, again the Hague Convention being the gold standard when it comes to the international recovery of child support and other forms of family maintenance. I see counsel nod in agreement, very good. So Saskatchewan is keeping up in this regard and we’ve got legal drafters hard at work in the Department of Justice backing up the interjurisdictional support order unit in the Department of Justice. Obviously they want to keep their legal tools and where they get their mandate from current and up to date and meeting international standards, so great to see that in the legislation here, Madam Deputy Speaker.

So if this helps that support orders made in other jurisdictions can be registered and varied in Saskatchewan with maximum efficiency and minimum delays, we think this would be an improvement to the current situation. If it will allow, as the minister claims, enforcement to begin and support payments to be made for those children who require them, if it accomplishes that, Madam Deputy Speaker, then I think this will be, this will be on some a good piece of work.

Obviously this Bill just being introduced in the House, we’ll be taking a closer look at it and its particulars, but it would seem on the face of it to be a positive set of primarily housekeeping amendments to the current legislation, but meaningful measures nonetheless.

So, Madam Deputy Speaker, with that I would conclude my remarks on Bill No. 32, *The Inter-jurisdictional Support Orders Amendment Act, 2011*, and as such I would move to adjourn debate.

**The Acting Speaker (Ms. Tell):** — The member from Regina Elphinstone has moved to adjourn debate on Bill No. 32, *The Inter-jurisdictional Support Orders Amendment Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Ms. Tell):** — Carried. Next Bill.

### Bill No. 33

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 33 — *The Residential Tenancies Amendment Act, 2011*** be now read a second time.]

**The Acting Speaker (Ms. Tell):** — I recognize the member from Saskatoon Riversdale.

**Ms. Chartier:** — Thank you, Madam Deputy Speaker. I’m pleased to enter the debate tonight on Bill No. 33, *The Residential Tenancies Amendment Act*. I want to . . . just referring to the minister’s remarks here, the minister does know that the Act was designed to assist tenants in a tight housing market. I have to say that I’m glad that this government has acknowledged that we’ve got a tight housing market here in Saskatchewan.

It’s funny looking back about a year ago at budget time, the government presented its budget, and there was very little to do with housing and support of housing and ensuring that we’re addressing the housing crisis. And then just about a week later, actually at the time the government was supposed to be in the middle of consultations and had a plan to have a housing forum in April. So we had a budget with very little on housing. We had a planned forum and consultations. And right smack in the middle of it, the government, a week after budget, decided that there was the Saskatchewan advantage housing plan that they just pulled out of nowhere, actually while they were in the middle of consultation. So I am very, very glad to hear that they do recognize that there is a tight housing market. But I would say it was far too late, Madam Deputy Speaker. We’ve been in the midst of a housing crisis for several years now.

So what does Bill No. 33, *The Residential Tenancies Amendment Act* do? Well right now, Madam Deputy Speaker, landlords are able to increase rents every six months. They give notice and can increase rents every six months. So what will this Bill do? It will add to the amount of time between rent increases for tenants if a landlord does not belong to an approved landlords association. So if a landlord does not belong to one of these approved associations they will only be able to raise rent every 12 months, but if a landlord does belong to one of these associations it’s still basically business as usual, being able to raise rents every six months. I know the minister in his remarks talked a little bit about the goal of the legislation is to encourage landlords to become members of one of these approved associations. And with this membership landlords will still be able to raise rents, but the goal of the legislation is to provide tenants with either access to a mediation program offered by the landlord’s association or additional time to find another place.

Unfortunately, Madam Deputy Speaker, in a place like Regina right now, where we have a point six vacancy rate, it’s more time to find nothing. So we heard in the fall that we are at about point six per cent here in Regina. And I expect that in the spring, when the new numbers come out, that the vacancy rate in Regina will in fact be even lower. We had two buildings here in December, I believe, that were shuttered. So I suspect that vacancy rate will be even lower and even more of a problem here in Saskatchewan, and in Regina in particular.

Actually just recently I heard from one woman here in Regina where her rent was going up by 41 per cent. So this is someone who works full time, single woman who is employed, but this is a stressful experience — 41 per cent, Madam Deputy Speaker. This individual already works long hours and has no capacity or no ability to squeeze any more hours in her day to work. There’s not any ability for this woman to find more hours to work. So a 41 per cent increase is incredibly onerous on this individual and others in her building as well. But she lives here in Regina, and she knows that she could leave. But what the heck is she going to find? There is nothing out there. There is absolutely nothing out there, Madam Deputy Speaker. She was mentioning another individual in her building who has decided he can’t afford the rent. He actually is the caretaker, and when the rent goes up in just a few months from now, the caretaker is going to have to leave the building.

So rent increases continue to be a problem. Housing continues

to be a problem here in Saskatchewan. And rents will still be going up every six months for individuals whose landlords choose to belong to this association.

We had a case here in the fall, actually talking about so you have a little bit more time, so you have a little bit more time to find a place. But more time to find nothing is the reality. We had a case here in the fall, that we heard about in this House, where we had an individual who'd been on social assistance following a car accident. This individual couldn't find a place to live here in Regina that met the requirements, that was less than the amount he received for the disability rental supplements and the shelter allowance. He couldn't find anything under that particular amount. It was about \$724 is the amount. And so he was housed in a hotel for months, Madam Speaker, because he couldn't find a place that fell below \$724, to the tune of about \$3,000 a month actually, which is incredibly expensive to be housing individuals. But the reality is, he couldn't find any place.

The government is unwilling to raise shelter allowances or recognize that perhaps we do need to put a little bit more money in that area because we have an incredibly tight housing market. So this government instead chose to pay about \$3,000 a month for someone on social assistance to live in a motel, which first of all isn't a home, and second of all that's pretty onerous on taxpayers. I know this individual didn't feel very good about staying in a hotel when he knew that if he had a small bump of even 25 or \$50 in the shelter allowances, he would have been able to possibly find something. But it is still incredibly tight there, Madam Deputy Speaker.

So another issue that I'd like to raise with respect to Bill 33 is again those landlords who join the approved housing association. I'd like to ask this government or hear from this government if the government itself is willing to join this tenants or rental association. Is this government going to also be — as one of the largest landlords here in the province — is the government, the Saskatchewan Housing Authority going to ensure that they're also part of this housing, one of these landlord associations?

Last summer actually many of us, many of my colleagues and I started to hear from constituents, from residents in our communities who lived in Sask Housing affordable housing, that their rents had been going up every six months, every six months for pretty much the previous two years. This was incredibly stressful for people.

In my own constituency of Saskatoon Riversdale, I've got Embassy Gardens, which is an affordable housing, Sask Housing affordable housing unit. And many, many, many people are incredibly stressed. They said the affordable housing program was sort of one little reprieve in this crazy housing market. People who had accommodations here felt like that was, they felt that they had it pretty good for sure, but they weren't also in a position to pay much more than they were paying. So the government was not being a particularly, I think, thoughtful landlord as rent was going up every six months, causing great stress to these individuals.

And you know, the interesting thing the minister here said, well you know what the policy of this affordable housing program

... Well first of all she didn't know the difference between social and affordable housing, but when she got that all straightened out, she was talking about affordable housing and said, well our goal or the policy is that affordable housing should be 10 per cent below market rent. That's the policy for the Sask Housing Authority. Well the first point about that is, does this take into account that the rents the people are paying today are ridiculous, that many, many people can't afford market rents? So that's the first point, that rents are quite outrageous.

The second point, Mr. Speaker, is that perhaps the minister's forgotten she is a minister and she has the capacity to change policy and programs. That's the beauty of being in charge; you can do those kinds of things. So if you recognize that, as the Minister of Justice has said with this Act, that we're in a tight housing market, that perhaps the government could look at amending some of the other policies around this, including around the affordable housing program.

I think when it comes to Bill 33, the notion that landlords and tenants, if you belong to this association, the association will help landlords and work with their tenants through mediation, I think that that's ignoring the obvious, that there's a bit of a power imbalance between a landlord and a tenant. Mediation is great, Mr. Speaker, but as the tenant, on a fixed income likely, coming to a landlord, you are not in a position of power. And it doesn't matter if you've got a mediator with you or not. That is a definite power imbalance.

I can tell you about one of my own constituents actually who has a landlord who's a pretty decent guy, and he's giving her a really good deal, but unfortunately it's a really great deal on a really lousy apartment. It has no end of issues. Nothing, I'm sure, is up to code. The landlord doesn't have any desire to fix anything. One of the big issues is actually the venting of the plumbing, and she has a horrible ... The sewer gas has come up through her plumbing. But you know what? There is a power imbalance in that relationship, Mr. Speaker, and she is not comfortable with raising the issue with her landlord or with the Rentalsman because she knows she's now staying in accommodations that she can afford, and she feels glad in some respects to have this apartment. But she also doesn't have any power to say to her landlord, you know, I don't think it's such a good idea that my apartment smells like sewer gas several days a week. So I think we have to acknowledge that with Bill 33 suggesting that a landlord and a tenant will be in some kind of mediation process is naïve and does not acknowledge the huge power imbalance that exists.

[21:30]

The other thing that the legislation does is it provides for a period of time before the first increase after a tenancy begins. So in Bill 33 there is a time, a period of time before the first increase begins if the landlord actually belongs to the association. So if you're a member of the association, Mr. Speaker, it's one year before they increase rents, and if not, if you don't belong to the association, it's 18 months. But the reality is even if you've been in a place for one year, there's no prescription on how much that rent increase could be. So you could find a place to live in and it's a decent place and you and your kids get settled in and you're living in your apartment and

no, your landlord hasn't increased your rent for the first six months, but at one year that landlord can raise the rent to whatever rate he or she sees fit.

So I just want to give you an example here. So a family moves into a place, has a year's reprieve, a year of stability, and then they get their rent increase or their notice of increase and they may or may not be able to afford this, Mr. Speaker. So this might mean for them that after just 18 months in a place they might have to move. And I know in my own constituency a big downside of the housing crisis, or a reality of the housing crisis, is families moving frequently.

And I'd want to ask the members opposite if they had, if raising their own kids or in their own life, was stable housing something that was important to them? I know for myself, Mr. Speaker, I lived in the same house until I was 18 years old, till I was on my own. I lived across the street from my school. I was in the same community for all that time. And as a matter of fact, I live five blocks from my childhood home too, so I haven't gone very far. But stability of housing is absolutely imperative for so many people.

Stability of housing allows you to be able to work, to know that you have a roof over your head so you can go to school, so your kids are healthy. There's nothing better for kids than having solid roots in a community where you get to know the neighbours, where the neighbours know your kids, where your kids are going to the same school. Again with schools in my own constituency, you've got kids there . . . You talk to teachers in some of the schools in my constituency, Mr. Speaker, and because of the housing crisis, families are moving so frequently that kids never have an opportunity to know the same teachers, to build a relationship with other kids in the neighbourhoods.

Another problem with the housing crisis is the reality that people are couch surfing, and not just individuals without kids. You've got whole families moving from house to house, Mr. Speaker. Another downside is the reality that in single-dwelling houses, 800-foot, 900-foot wartime houses in Saskatoon Riversdale, you've got multiple families living in homes meant for one family, Mr. Speaker.

So what does that mean to a child who's going to school who comes home and . . . I'm not a big believer in every child needing their own bedroom. I grew up . . . I'm the youngest of seven kids. I shared a room with my two sisters for a very long time. So this isn't about every child needing a huge bedroom and all their own space, but people do. Adults, we need our own space to retreat to. Children need their own space to be able to go do homework or have a little bit of downtime, and especially if you have a child with a disability who may need some extra attention or an opportunity to unwind and deal with the stresses of a day that happen in a kid's school day.

So these are some of the things we see with the housing crisis, Mr. Speaker, and I don't think Bill 33 is doing what it needs to do to address what's been going on here in Saskatchewan.

This afternoon we talked a little bit about spousal violence and how the housing crisis has impacted or worsened this situation here. From the Provincial Association of Transition Houses of

Saskatchewan, there was a really great quote in there on the impact of moving that I think gives a better perspective of what I've just been discussing. So I'd like to read this quote. This is from a mother talking about her own experiences here. So quote:

Yes, for like that whole year it seemed like I kept moving, and it was hard on my kids too because, you know, they have to change schools, and they'd got used to one place, and it's hard to move again. Like you could tell it was stressing my kids out too.

So the reality is, Mr. Speaker, not having a consistent place to live has a huge impact not only on parents but on children as well. I think housing, if you don't have a roof over your head, you have very little. Family's ultimately the most important thing, I think, but if you don't have a roof over your head that you can afford and that is appropriate, you have huge struggles in life.

Today again we talked a little bit about social housing, Mr. Speaker. And I don't have it in front of me here, but in the Saskatchewan advantage housing plan, this plan that this government put together quite hastily, as I said, just a few days after budget — you'd think it would have been in their budget speech but it wasn't — and about a month before they actually concluded their consultations, so in the Sask advantage housing plan not once does it mention the single word, social housing. Not a single word on social housing.

And what is social housing? It's low-income housing or housing . . . It's defined as low-income housing or housing geared towards those fleeing abuse. And it's income geared, so the lower your income, the lower your rent. So that's very important, Mr. Speaker. But nowhere in the Saskatchewan advantage housing plan does it talk about social housing despite the fact that there are community organizations, there are people, well in particular today, people working with women who are fleeing from domestic violence, who are saying this government needs to invest in social housing. So Bill 33 does not do what it needs to do to address the housing crisis, Mr. Speaker.

We talked today a little bit about how, again on the social housing side of things, we talked a little bit today about how in rural Saskatchewan in particular the housing crisis impacts people throughout Saskatchewan, and it has an impact on women fleeing domestic violence throughout Saskatchewan. But the unique problem in rural Saskatchewan is that there is no place to go. If I was fleeing domestic violence in Saskatoon, I might move from one community to the other. But if I'm living in a small community that I've grown up in and it's my home and I finally decide that I've had enough, I can go into a transition house. But if I want to come back to my community, Mr. Speaker — where my parents are, where my support networks are, where my job is, where my kids go to school — I don't have that opportunity because housing is so tight in so many communities and this government has done nothing on the social housing side of things.

And I heard the minister say today that while she had some concerns or that oh, she feels bad that women fleeing domestic abuse have to leave their communities, but she can't make the

abuser leave, and we have to keep women safe. Well in the Provincial Association of Transition Houses' recent study, or study of not too long ago, one of the things they point out about women in rural Saskatchewan is that many women from smaller cities and towns in this study spoke about a sense of connectedness. Leaving their community most often was not something they would even consider. This often posed safety issues for them, but they said that they were willing to take the risk.

Mr. Speaker, we want to stay where our support networks are, and this is no different for women who are fleeing domestic violence but who happen to come from a rural community. So I think one thing this government should think about doing is substantially invest in social housing. All across this province we need to have an investment because the government's leaving it up to the private sector right now. The private sector is doing some work, which is wonderful, but it's not enough. It is not enough to address the crisis. And I don't say the word crisis lightly. We really are in dire straits here, Mr. Speaker.

I think the one thing too that I'd like to mention as well is consultation. And I'd like to talk a lot about consultation here and I know that the members on the opposite side get quite worked up on the topic of consultation. But I have to say, when the opposition found out about this Bill, we did go out to many different groups. We did have some feedback from Boardwalk and we did have some feedback from a real estate organization, which is great. It's important and they feel that Bill 33 is good, which is . . . It's important to go out and speak to organizations that might not normally be your typical base or be aligned with your philosophies. The bottom line is when you're creating policy, Mr. Speaker, you need to speak to a whole host and whole range of people who are involved and have some knowledge on the ground of the topic that you are seeking input on and hope to produce a policy or program on.

It's important to reach out to people, and I would wonder who the government spoke to about Bill 33 because I can tell you that the things that we're hearing, from not just anti-poverty organizations but a whole host of individuals, that Bill 33 just doesn't do it for them, Mr. Speaker.

So with that, I'd like to say housing is so important. And this government really isn't doing everything it needs to do to ensure families have a secure and affordable roof over their heads so they can work, so they can study, and they can live the lives, the best possible lives. You need that roof over your head so you can do what you need to do to be a contributing citizen, Mr. Speaker. This Bill 33, is it better than nothing? Well it's probably better than nothing, but the people of Saskatchewan want and deserve and need more, Mr. Speaker.

I know I have colleagues who also would like to enter the debate on Bill 33 at some point, and I'm eager to hear what they have to say as well. So with that, Mr. Speaker, I would like to move to adjourn debate.

**The Speaker:** — The member from Saskatoon Riversdale has moved adjournment of debate on Bill No. 33, *The Residential Tenancies Amendment Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 35

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 35 — *The Legislative Assembly and Executive Council Amendment Act, 2011/Loi de 2011 modifiant la Loi de 2007 sur l'Assemblée législative et le Conseil exécutif*** be now read a second time.]

**The Speaker:** — I recognize the member for Saskatoon Centre.

**Mr. Forbes:** — Thank you very much, Mr. Speaker. It's a pleasure to get up once again tonight and speak on some of the legislation that's before us. As always, it's important to take a look at some of the Bills that come forward and give some comments on them and it gives us an opportunity to really reflect, to be thoughtful about what's happening out there. And of course with the legislation four years ago about a fixed election date, and we were all prepared for that and it seemed to work out fairly well. I'm not sure I was a fan of it, but it seemed to work out quite well. We knew leading up to it what was planned and so there you go. I think that we can live with that piece. But now we've got a wrinkle in this by Mr. Harper, the Prime Minister, potentially throwing a wrench into this by having a federal election in the election period four years from now.

And so this is what this Bill anticipates, that this may happen and that we may have to change the election period to the spring of the following year. And while it's good to be prepared, I do see that the Premier has taken the time to write the Prime Minister about this concern, and of course it impacts a few other provinces. I understand Ontario, Manitoba, to name two, are caught in the same bind. And so we're hoping that Prime Minister Harper will see . . . Of course a four-year period for him would be May of 2015, and then we could do ours as straightforward.

So I'm hoping that we can see this, and I'm hoping that we can all work together and try to get this straightened out. I'm not sure if the Premier's got a letter back. It would be interesting to know because apparently he wrote some time in December about this concern as soon as he became aware after the election about what the consequences would be. So if the government has any new information about this, it'd be very interesting to hear that. But as it looks now, we're going to have to live with this.

I do find it interesting that in reviewing the comments of the minister, Minister of Justice, he talks about gamesmanship in the choice of election dates, and you can still have gamesmanship apparently still even with fixed election dates. We've seen that at the federal level anyway. You can have that legislation and still call it. Right now we seem to be in a good spot with our first go at it, and we hope that can continue.

I have to say, from my own point of view, I love November elections. I've had four of them and I'm still here. So I'm kind of a big fan of November elections. So I'm partial to that. But I do hope that we can get this sorted out.

[21:45]

And with that, Mr. Speaker, I don't have a lot more questions, just that we are watching this one carefully. And we're hoping that the federal government can give their signal sooner than later about their intentions of what they plan to do with their federal, with their election date because it only makes sense they go in the spring of 2015 and the rest of the provinces can continue as they were. So it's kind of upheaval into the electoral cycle. It's not helpful.

And so with that, Mr. Speaker, I'm going to move adjournment on Bill No. 35, *The Legislative Assembly and Executive Council Amendment Act, 2011*. Thank you.

**The Speaker:** — The member for Saskatoon Centre has moved adjournment of Bill No. 35, *The Legislative Assembly and Executive Council Amendment Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 36

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 36** — *The Constituency Boundaries Amendment Act, 2011* be now read a second time.]

**The Speaker:** — I recognize the member for Saskatoon Centre.

**Mr. Forbes:** — Thank you very much, Mr. Speaker. And I'm not so happy. I find this Bill, Bill No. 36, *An Act to amend the Constituency Boundaries Act, 1993*, probably the most egregious Act of this government to date. This one, while only one page long, contains some changes that are fundamental to who we are as MLAs, and who we represent. And I think this is one that I know many on this side will have to say an awful lot about. And, Mr. Speaker, I just am shocked and appalled by this because I think that while the simplicity of it is straightforward — it's only a page — but the impact is far-ranging, and the unintentional consequences of this piece of legislation is huge. Huge.

And I wanted to start by saying, just for example, today we welcomed students from Balfour. And one of the things we usually do when we introduce students, we say welcome to your legislature. And, Mr. Speaker, if we continue to do that after this Bill is passed, we are all hypocrites because no longer will it be their legislature because they are not 18 years old. They have to be over 18 and they have to be voters. That's what we say now if we pass this Bill, and I think that's offensive and that is wrong. And the other side can think this is a light . . . It's something light, but this is very serious.

Seven provinces and the Federal government take the total population and represent the total population. They don't just represent voters. Kids don't count to this government. And that's what this Bill says. And if they don't figure that out, then they'd better figure it out right now. Because when they introduce kids in this legislature, that's what this says, because

you're not 18 years old and you're not working for them. You're working for those who vote for you. And I think that's wrong, Mr. Speaker. I think that's extremely wrong. I work for everyone who lives in my riding whether they're 4 or 40 or 94. It doesn't matter, their age. It doesn't matter, their age, because I represent everyone. Everyone. And this now says that you're going to amend the legislation that you have to be 18 years of age or older.

I don't think people understand how far-ranging this Act is and what the implication of this Act is. You don't need a 500-page Act to have something fundamental happen. This is fundamental. This is huge. This is huge.

Last week I was part of a panel with young people, recent immigrants to this province. And they were all happy to be here. And they asked me, so what do you think about this robo-call scandal? What do you think about what we should think about politicians? What do you think we should do about that? And I said, well you know we work hard to have a good reputation and make people think that we're working for everyone, no matter whether you voted for us or you didn't, whether you're a hardcore conservative or a hardcore lefty. It doesn't matter. We represent everybody. But that changes now. That changes now. And this is only part of the path this government seems bent on.

Last year they introduced legislation about photo ID [identification] and that was a big barrier for people — all sorts of ID barriers. And now they're talking about 18 years old. And when I told the kids, listen, this government is introducing legislation that says you don't count. You don't count anymore. You simply don't count because now we're saying you have to be 18 or older to be part of the constituency. Well that's wrong. That's fundamentally wrong. That's fundamentally wrong.

We know seven provinces have got it right and the federal government's got it right, and for some reason we think this is the direction that we want to take. Now there's all sorts of other arguments that we can . . . But I just want to underline this. And I just think every day when these guys get up and introduce school groups and say, welcome to your legislature, well I hope they think twice about that now because really they all voted. And if they vote for this Bill they're saying, that was a few years ago, but not anymore. That was a few years ago.

Now there's some other issues I have with this, Mr. Speaker, that I feel very strongly. You know this government — and we've seen several examples since the election; we've seen several examples of this — they say nothing during the election, nothing during the election, and then all of a sudden you hear about this. We did not hear anything about three new MLAs. We all know the population's growing, and we're all very happy about that. We're extremely happy about that. But they never said anything about three new MLAs, did they? Did they over there? I mean, did any one of them say, you know, the one thing we're going to do when we get elected is we're going to get more MLAs? Three more MLAs, that's what we're going to do. We're not even going to consult people on that. We're not going to consult. We're not going to do what other provinces do.

Other provinces would go out and say, let's find out what



people think. Let's find out what people think. Do we need more MLAs or do we need more services? There are 60,000 more people here. Do we want more policing, more community safety, or more schools, or do we want three more MLAs? No, they didn't say that at all because they knew what the answer would be. They knew what the answer would be. They knew what the answer would be. They would say, people would say no, we can do quite well the way that we are; we want more services because there are more people here. And that's the right thing. So they never ran on that. And they never told their volunteers who are younger than 18, you guys don't count any more; you're not part of this. This is a problem. This is a problem with this government.

So, Mr. Speaker, they're trying to put one quickly through this. We all know, we all know that every 10 years we do boundaries over again. We all know that. That doesn't come as a surprise. But to say, oh, by the way, when we do the boundaries, we're going to do two more things, actually three more things: one, we're going to not count anybody who's younger than 18; we're going to throw in three new MLAs and if you don't pass this piece of legislation in time for the Boundary Commission, we're going to act as if we did do it. This is an amazing piece of legislation, amazing piece of legislation. You know what? Buckley over here said, he was talking about, if we get services, if we get services. And again these guys with their selective hearing only hear part of the statements that we make.

But, you know, Mr. Speaker, I do want to talk about some of the things that this . . . You know, it's incredible what the Minister of Justice had to say last night about this, you know. And from his comments about moving from 56 to 59 members, when we do . . . And of course the two northern, two northern MLAs would bring that up to 60, 61. And he says, and I quote this, "Mr. Speaker, it is a fundamental principle in our democracy that each vote should be roughly of same value throughout the province." That's true. We can't argue with that. That's not the issue here, Mr. Speaker. It's about representation. Who do you represent? And we represent everyone. Now all of a sudden we're saying we're not going to represent about 230,000 people in our province — and that probably is higher with the new population stats — but over 200,000 people, we're not representing. They're not part of the formula any more. This is the wrong track to go down here, Mr. Speaker. This is the wrong track to go down.

And then they also said something: it's a very interesting argument and he goes, and I'll make sure I read this right, and I quote, "By using the most recent census data to determine who is of voting age in a constituency, rather than using the voters list as has been done in some other jurisdictions, we are using the best available data." Now that's an interesting statement to say because we've never used voter lists to establish the riding boundaries before. It's always been the population, the census so . . .

**An Hon. Member:** — No, it hasn't. Romanow changed it in '92.

**Mr. Forbes:** — Okay. There you go. There's a correction. In '93 maybe. I have to verify that. I have to verify that. The members opposite are throwing out some data that I want to get corrected.

But almost all other provinces use the census, use the census. Now I understand Alberta and Manitoba may use other pieces of information if they want to get more accurate information. But to throw out this argument that somehow we've been using the voters list is not accurate, Mr. Speaker. At least for 20 years we haven't used it. At least for 20 years we haven't used it. And so what is this all about? He's creating a false argument that doesn't really hold water. Now I understand that maybe New Brunswick or Prince Edward Island, they might use this. But, Mr. Speaker, I have a real problem with how he's setting this up. And he says, and I quote, "While the census data may include citizens over 18 years of age who are ineligible to vote, it will certainly include far fewer ineligible voters than is currently the case."

Now, Mr. Speaker, when he's talking about currently the case, he's talking about young people, and I just think that's deplorable. And so we have an issue here. He says that's all right if we count the ones who are over 18. And those would be the recent immigrants, new immigrants. And that's quite acceptable that we feel we have an obligation to represent those folks. I think that comes with being in Canada. That comes with being in Canada. Once we have the election, we have to represent the views of everyone in our riding, not just those ones who are technically the voters, and probably — and I can't wait to see the government come forward with this — voters with ID [identification]. That's what's going to be the next step in terms of determining this. I think this is simply deplorable.

So, Mr. Speaker, I think this is really, really unfortunate that we have a problem with this. And I think that as we go through this, and I'll talk a little bit about some of the data that we've got, some of the resources that I want to make sure gets on the record here because we have some real, real issues, you know, and I think that the government and the government backbenchers really need to rethink about why they are doing this, you know. When we talk about what's going to happen, we're going to lose about . . . According to the population stats of 2006, there were about 233,905 people in Saskatchewan under the age of 18. That's approximately 24 per cent of the population that's under the voting age. And yet they still have rights as far as I'm concerned. That's why we have the Children's Advocate. That's why we have set up ways to make sure that those people count. Young people count. That's really important. And in fact, Mr. Speaker, we are a young, a young province.

And some of the research I've had done takes a look at the fertility rate here in Saskatchewan, talking about youth rate growth. A fertility rate of 2.1 children per woman is the replacement level, and according to 2008 statistics, Saskatchewan has the highest fertility rate of 2.05 of the provinces, and only Northwest Territories at 2.08 or Nunavut at 2.98 has higher fertility rates than Saskatchewan. So this is a big issue. And one of the groups that in Saskatchewan has a high fertility rate of course is the Aboriginal population. And while we don't have the specific stats on the Aboriginal population that are younger than 18, we do have it that are under 14 or under 20. This is a big issue, particularly for making sure this segment . . . And we had questions today about this. We had questions today about the education of Aboriginal youth. And we understood that that task force is in fact actually delayed, and we're not sure if it's actually going to

happen, but we're waiting to hear more from the minister about this.

[22:00]

But here's a group of people that feels disconnected from mainstream society in a big way. And this government over here says, and you know what? You don't count either. You used to count, but now you don't. And so what are they going to do about this? This is a significant issue.

And so, Mr. Speaker, I really have some concerns about the unintended consequences. Here we have a group of young people, Aboriginal people, who should feel part of Saskatchewan, who are an important part of Saskatchewan, more working than ever before. But what does this government say? What does this government say? What does this government say? You don't count. You're part of the 240,000 young people that don't count in Saskatchewan any more, don't count in Saskatchewan any more. So is it any reason that we should think that this government doesn't really care about this education task force that the minister announced amongst much fanfare a year or so ago, and we haven't heard much about it? So we have some real problems with that, Mr. Speaker.

As I said, we had my colleague talk about how we are gathering some data from different experts across the country and across the province here, about some of the issues with this piece of legislation. And I want to read this into the record that this Dennis, Dr. Dennis Pilon, associate professor, department of political science, York University, sent to us because he was concerned about this Bill. And he says, and I quote:

Still the politics of this should be clear. This Bill will advantage the Saskatchewan Party with its rurally based electorate and disadvantage the more urban-based NDP. Regardless of the questions of partisan advantages, the normative arguments against this change is that Saskatchewan urban areas have a particular representative challenge and rural ridings are often overrepresented in terms of population anyway.

And so what he is saying is, it's hard to get the balance right. And sometimes when you have those geographic challenges in rural Saskatchewan — which we understand; we understand completely — but this is really another issue. That's another issue about how do you have a population that's sparsely around the province and then you see cities more than ever have more people in them, but particularly more young people, and is that why we're doing this? It's because you want to have more weight out in the rural areas as opposed to the cities where there are more young people. I think this is the wrong way of going about this again because you're avoiding the real issue, and that is, what do we do as MLAs in Saskatchewan? What do we do here? What's our job? And it is, as I say and I will continue to say, it's to represent, represent the people of Saskatchewan.

And I want to also read this. And this is from Dr. Courtney, and the book is *Drawing the Maps*. And he goes on and he quotes:

Other jurisdictions in Canada have chosen to determine their electoral boundaries according to total population.

This shifts the focus from voters to the legislative or parliamentary members and to their responsibilities as elected representatives. Redistributions at the federal level, in seven provinces, and in two territories [so seven provinces who do it according to pop, and then two territories] are based on total population figures obtained in a general census. The premise underlying this method is that in their ombudsman role elected members are expected to speak for and to act on behalf of the entire population of their respective riding, not simply those who are eligible to vote or who may have voted for them. Irrespective of their age, citizenship, or political preference, residents of a constituency, so MPs believe, deserve to be helped.

And I guess that's the bottom line for me. It's not about who you voted for. It's not about your age. It's not about whether you're a citizen. It's about the fact that you're living in that riding. We do have, every four years, elections, and that's when we go through who can vote and all the requirements of that, and I don't have a problem with that. I do have a problem because with some of the regulations that came out last time that made it a little too rigorous, but we worked through this. But as I say, this is a fundamental, a fundamental shift. And I have some real concerns because I know that across the country there are ways of tackling this problem, and one way is to have consultations.

And I just want to talk a minute about what other provinces have in terms of representation. Are we one of the ones who are more represented than any others? Because here we say . . . And if the argument is true that this government is putting forward that with the population going up by 60,000 — and the minister seems to think that we need to anticipate much more, and I hope we do have many more, many more people moving to our province — that we will have obviously stronger ridings. But I think there's a point where we think, what is realistic? And we seem to be in the middle of the pack.

You have Ontario with 103 MLAs. Now their population — this is 2006 stats, not the most current, but if we just take this because this is the best we have tonight — the number of MLAs in Ontario is 103; the population of Ontario is 12.16 million. And the average representation or average constituents per MLA is 118,000. In fact that's bigger . . . I understand actually it's about the same size as the number of constituents per MP [Member of Parliament]. And they have congruent ridings actually. The same MLAs have the same MP or parliamentary ridings.

Then you go all the way down to Nunavut which has a population of twenty-nine thousand, four hundred and seventy-four thousand people. They have 18 MLAs. And they represent about 1,600 people. So somewhere in between there has got to be a good number. Quebec, 7.5 million, 125 MLAs. They have the most MLAs of any province, and they represent those 60,000.

BC [British Columbia] — and this is a paper that I think is very interesting — BC had the same issue. They're wrestling with should they increase the number of MLAs they had. And so they developed this position paper. The population of BC is 4.1 million with the number of MLAs 79 and constituents about

52,000.

Alberta, with 3.3 million, 83 MLAs, about 39,000 constituents. Manitoba, 1.1 million, 57 MLAs, and about 20,000 constituents per riding. And Nova Scotia is in there with 937,000 people in Nova Scotia, 52 MLAs, 18,000. Then we come in here with Saskatchewan. Now this is our old population, about 960,000 — now, I understand, about 60,000 more — 58 MLAs, and we on average represent about 16,700 people. So you see that there's a range here. But even with Nova Scotia, they represent more than we do with 18,000. Manitoba's with 20,000. So what's reasonable? What's reasonable?

And today we had questions in question period about this government. Is it austerity or prosperity? What kind of a province, what kind of a province are we living in?

And so, Mr. Speaker, I think at this time, this is a time where, you know, I think we should actually go out to the people and say, how many MLAs should we have? Or actually we should have done it before this. It's a little too late. It's a little too late now because this is a question we should have asked last year or the year before because right now we are now in the process . . . Any day now, any week now, we're going to be setting up the Boundaries Commission, and their work will be in front of them.

And so with this Bill I think this really puts them in a tough spot because do they actually believe . . . They will get out . . . I can just see this now. I can see this now. They'll probably go out, and they'll be putting out new maps. And people will say, well hey, do we really need three new MLAs? Do we really need three new MLAs?

You know, I hear over there . . . [inaudible interjection] . . . And if the member opposite would quote my member accurately when he was talking about that, he said the question was, the 60,000 new people want services — get the services first, then maybe we could talk about the three new MLAs. So I ask them to read that accurately. Clearly my colleague from Athabasca was saying the 60,000 new people here are going to come and they're hearing — what are they hearing? — they're hearing that they have to cut services. They have to cut services like policing and schools. So what are they going to do? What are they going to do? They say we want to . . . you want to cut services. Do you want to cut services over here, or do you want three new MLAs that you never campaigned on? You never campaigned on three MLAs. So why wasn't it in the platform? I just have that question. And so, Mr. Speaker, I think this is a real dilemma that we have and, you know, and I can just see that there's . . . And the list goes on for questions I have.

You know, the cities now, and the towns are . . . [inaudible] . . . I know in Saskatoon, my hometown, they've just redrawn the boundaries, and they're done on the populations. Are these guys going to be, is this government going to be putting forward legislation to say, listen, you have to now change your boundaries yet again because we don't want you counting those young guys. We don't want you to be counting anybody under 18. They don't count any more. Are we going to have sort of a dual system here? At the federal level, you count as a young person. At the municipal level, you count as a young person. But at the provincial level, you don't count.

So what are they contemplating over there to make this consistent across the province? What's going to happen here? Last year when we saw the changes to *The Election Act* around the ID and all of that, this government took it in their own hands to put on some of these new regulations for local communities. Are they going to do that too? And so I have some real concerns, Mr. Speaker, because as I said that this is not . . . Well it's only one page, and it's really, it's actually quite amazing actually when you think of what one page can mean to a province.

I think that we really need to take a look at this, and we need to say is this what we really want to do. And let's get this right because when we've got this wrong, the unintended consequences can be huge. And what we're saying to young people is a real problem. And I have to, I do have to say . . . And you know, across the way they will raise what my colleague from Athabasca had to say, and of course he raised some real concerns about the issues around services and what people come here to expect and what they've been told will be here, what will be told. And people come expecting that this seems like a reasonable place. People do things in a reasonable way. And generally by and large they do. But all of a sudden this one comes out of left field. Actually right field, let me correct that. No way would that have come out of left field. This is totally a right field idea. This is one of the . . . It's just a crazy idea that we could slip this by to get three more MLAs.

And I do worry about this because, as the member from Athabasca was so clear, that in the same mouth, one side you're talking prosperity. We've got the hottest economy in North America. Everything is going well. We need less government. Why do we need more government? We're on the right track. But on the other side you say austerity and we need more government. And you know, I think the mixed messages are huge, huge.

And we know that they are on track. They're well on track, and they take a lot of pride in this in terms of lean services in the government. They've said that they're on a four-year plan to cut 4 per cent of the government employees at 16 per cent of reduction of government employees. And yet the population's growing. How does that work? And so, Mr. Speaker, this is why I think this Bill has a lot of flaws and is not well thought out because if you're cutting government services by 16 per cent . . . And we see a real need for government services with new people coming.

[22:15]

Earlier tonight I talked about the foreign rulings Bill, and I'm thinking, so where is the money coming for that, to enforce that? And over here, just before, we talked about the new Bill about residential tenancies, and who is going to police that? Who is going to ensure that's actually happening? And we hear about Saskatchewan having one of the highest, if not the highest, rates of spousal abuse. What are we going to do about that? So there are real needs, real needs. And this is a huge issue — talking about the crumbling infrastructure for municipalities — what are we going to do about that?

And the government seems to think add more MLAs, add more MLAs. That's the thing to do, solve all our problems. I mean I

don't know where this idea came from, where this idea came from and why it was under wraps during the election and why all of a sudden this is the big deal to do. You know, if this was the big deal to do when we saw the population growing in the last five years, it should've been done two years ago, anticipating what the population was going to be. We had informal counts. We didn't have the official census, but we kind of had a sense of where the population was going. Why didn't we do it then so this could be all in place and everybody can rally behind this and say, yes, this is the right thing — cut those services, increase MLAs; you're on the right track.

But this is not what the Sask Party government said. They said, everything is good. Everything is good. Trust us. We'll be okay. And I've got to say, it's not okay. This is not the province that many people think, that they think of home, you know. And when we talk about our young people, they mean so much to us, and because we see how they're disengaging from the political process . . . And yet this government doesn't seem to care about that. They say, you really don't count, and we're just going to slough this off because, hey, you know, you don't count. You still get counted on the census, and for many years we've counted you, and you've been part of the process. But now we're going back to the old ways. And as members opposite would say, this happened during the Devine era when 17 and younger didn't seem to count. I have some real problems with this.

And so when you think about the choices here that we're being, that municipalities are being forced upon about what to do in terms of choices — whether it's community safety, community policing, and having to raise the property taxes — this government seems oblivious to that, seems oblivious to this because what is the cost for one MLA? What is the cost for one MLA? What is the cost for three MLAs? And is that a good investment? Is that how we should be spending our money? I think this is a real, real challenge. And now they may think it's not. Hey it's just money, right? And this an issue when we have, when we have some real tough choices. People are making some very tough choices in Saskatchewan. The price of housing, the affordability issues are huge. And this government . . . And we'll see the budget in just a few weeks.

And the Premier's alluded to cuts and austerity. I think that's what he's saying. That's what the message is, is be ready. Be ready. We have to tighten up our belts. Except for when it comes to the budget, except for when it comes to the MLAs, the new MLAs. And I really am worried that, you know, the PR [public relations] machine that the government has on hand and the press releases and all of that kind of stuff, people need to watch what's happening here. And I'm concerned that this government really doesn't understand the impact of what this will mean.

And of course the questions we'll have for the minister when we get to committee on this — and I hope before we get to committee that he may withdraw this because I think he really needs to rethink this — but if we ever do get to committee on this, because I have some real issues about this: has he done a cost analysis of this? What are the costs of this? And are people thinking about this? Has he looked across Canada to see where do we fit in with other provinces? What's acceptable in terms of representation? What do people view as our jobs? Is it just

about getting elected and we only work for those people who elect us or do we represent everybody in our riding? What does this really mean here?

And I think that this is a clear issue that we have to take some time and think about. And I think that this is completely unfortunate, the timeline that this government has gone on, that they've decided that they would put this in, that after the election they would ram this through after the election. I'm surprised. This sort of fits up there with Bill No. 5 in terms of how well thought out it is. You know, I think that in the years ahead we're going to have some people thinking about this and saying, hey, what about us? I can really see that many young people will start to say, hey, what about us? I think this will be a real, a real issue. And what are the implications when you don't count somebody in the formula? Now you might say, hey, it's just a formula; it doesn't really mean anything. But as I said earlier we have the highest fertility rate in Canada. We have a very young Aboriginal population that needs to be connected to mainstream society.

There are gains being made in employment, but clearly there's a huge untapped potential here with First Nations and Métis people. And if we're saying to them, particularly the young people, you really don't count, I think we have some real issues here, Mr. Speaker. And so with that, Mr. Speaker, I think this is, as I said, an egregious piece of legislation. I think that the minister and cabinet should really rethink this. I think that the idea of us saying we want three new MLAs without consultation, I don't know where the number three actually came from. The minister's notes don't really explain that. He tries to create this false argument that we are using now electors' lists, and that's not true. We're using accurate census data and we're responding as quickly as we can to that. I think this is a real problem, and I really think that this is one that I would ask the government, I would urge the government to reconsider.

You know, in terms of the work to go ahead, clearly we have a lot to be proud of in Saskatchewan in terms of a democracy that we value so much. And we think about what has happened in the Arab Spring — people fighting for the right to be represented. And here we go with this government taking away rights of young people. I think that this is not a small matter. And while they would like to say, hey, it really doesn't matter — it really does matter. It really matters to young people. It's just a formula? No, it's not just a formula. And when we go to the ballot box, it's just a checkmark? No, it's not a checkmark. You're exercising your right, one that is valued, truly valued, and one that you know we can get pretty patriotic about in terms of the different wars, whatever, fighting for democracy. And for us to say to 240,000 people, you don't matter anymore; you don't count. I think it's just wrong. It's just wrong.

And just with a simple one-page Bill, this is not good government. This is not good government. This is lazy government. This is government that is not thinking forward into the future. We have so many things to be thoughtful or thankful for in this province, and one of them is young people, and the fact that we have so many young people. Twenty-four per cent, if not now 25, 26 per cent of our population is young — below the age of 18 — and we have to think of ways to connect those people to the democratic process here in

Saskatchewan. And to say to them, listen, you used to count but now you don't count, I think is wrong.

On that same vein, this government, this party, prior to the election did not mention anything about needing three new MLAs and the impact that would be. And we've seen this many times with the different things that they've said in the weeks just past the election, things that have come up in the . . . that they've decided that they would want to do.

You know, the funding of independent schools is a good example. Not a word about funding independent schools during the election, and then shortly after the election it's the thing. It's the thing. It's just something that we would do. And we can go on and on about these things.

And so, Mr. Speaker, I think this is a sign of an arrogant government, one that has really lost its way, lost its way. And you know, I know the Premier would talk about a moral compass. I'd like to know, how's the moral compass working today when you can say to 240,000 young people, you don't count any more, and we're not going to work for you? We're not going to work for you. You come into our office. I have a job. It's to work for those who are the electors. Now they may laugh over there, and I know the government may think this is a bit of a lark. What does it really matter? What does it really matter?

And I think particularly the Minister of Education will go around to schools and talk to the young and say to young people, you know what's really important? It's that you engage in the democratic process. But will she then tell them, will the Minister of Education tell them, but I was part of the cabinet that disqualified you from part of the formula to figure out your riding? All right? Will she do that? Will she do that? And will the Minister for Aboriginal Affairs say to young Aboriginal people, you know we think a lot of you. We think a lot of you, but we don't think enough of you to include you in the formula. We don't think enough of you to include you in the formula.

So this is a real issue, Mr. Speaker, and I know they think it's a . . . They don't take it very seriously, and that's a sign of an arrogant government, an arrogant government that's lost its way. And this may be the first step. I think we saw a lot in the last four years, but this is appalling to see it now. Because as I said, one page but some real key issues on there around young people, around young people, and around the idea that they didn't bring this up during the election and the fact that, the fact that on one hand you're telling municipalities be ready for cuts and telling citizens be ready for cuts, but you know what? We need three more people. We need three more MLAs.

I've just not heard that. And I don't know where these folks over here have heard anything like that during the campaign. Maybe they did. Maybe they did. Maybe it was all over that they said, we just have to have more MLAs. I don't believe that. I just don't believe that. I never got any letters. If they've got letters, let them table the letters. Let them table those letters or emails about people who said, we need more MLAs. We need more MLAs.

Now I've got to tell you, Mr. Speaker, they, as I said, they seem to think there's a bit of humour in this. I don't think this is

humorous at all. And as I said, when kids come into the galleries and we make a big deal and say, welcome to your legislature, that's not the case any more. That's not the case any more, Mr. Speaker, because they don't count any more. That's what this government's saying, is you don't count. You don't count — 240,000 young people now don't count. And I think that is shameful. That's just plain shameful, Mr. Speaker, and I think this is a real issue.

We've talked about the 60,000 people who have come, and they don't expect to get three more MLAs. I don't think they came here thinking, ah this is the land of good government; we get more MLAs. This is the land of good government; we get more MLAs, more MLAs. They think, we'll get more services. We'll get better roads, better roads in our cities and our towns. No, that's not the story. We'll get safer communities. That's not the story. This government's intent on having more MLAs. Who asked for it? And I think this is a real issue.

So, Mr. Speaker, with that, tomorrow, if there are students here, I'm going to be very interested in hearing what those folks over there . . . if they actually say, welcome to your legislature. Because I think we're all a bit of hypocrites if this Bill passes and we talk to young people to say that it's their legislature, because we've thrown off 240,000 young people. And many of them are Aboriginal people who we should be reconnecting to the political process, and instead we're cutting them loose. And this is an issue, Mr. Speaker, a real issue.

**The Speaker:** — It now being after the hour of 10:30, this House stands adjourned until tomorrow at 1:30 p.m.

[The Assembly adjourned at 22:30.]



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**Hon. Ken Krawetz**  
Deputy Premier  
Minister of Finance

**Hon. Tim McMillan**  
Minister Responsible for Crown  
Investments Corporation  
Minister Responsible for Information  
Technology Office  
Minister Responsible for Information  
Services Corporation  
Minister Responsible for Saskatchewan  
Government Insurance  
Minister Responsible for Saskatchewan  
Liquor and Gaming Authority

**Hon. Don McMorris**  
Minister of Health

**Hon. Don Morgan**  
Minister of Justice and Attorney General  
Minister of Labour Relations and Workplace Safety  
Minister Responsible for the Saskatchewan  
Workers' Compensation Board

**Hon. Rob Norris**  
Minister of Advanced Education,  
Employment and Immigration  
Minister Responsible for Innovation  
Minister Responsible for Saskatchewan  
Power Corporation  
Minister Responsible for Uranium  
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**Hon. Jim Reiter**  
Minister of Highways and Infrastructure  
Minister Responsible for Saskatchewan  
Transportation Company

**Hon. Laura Ross**  
Minister of Government Services